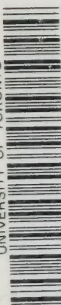


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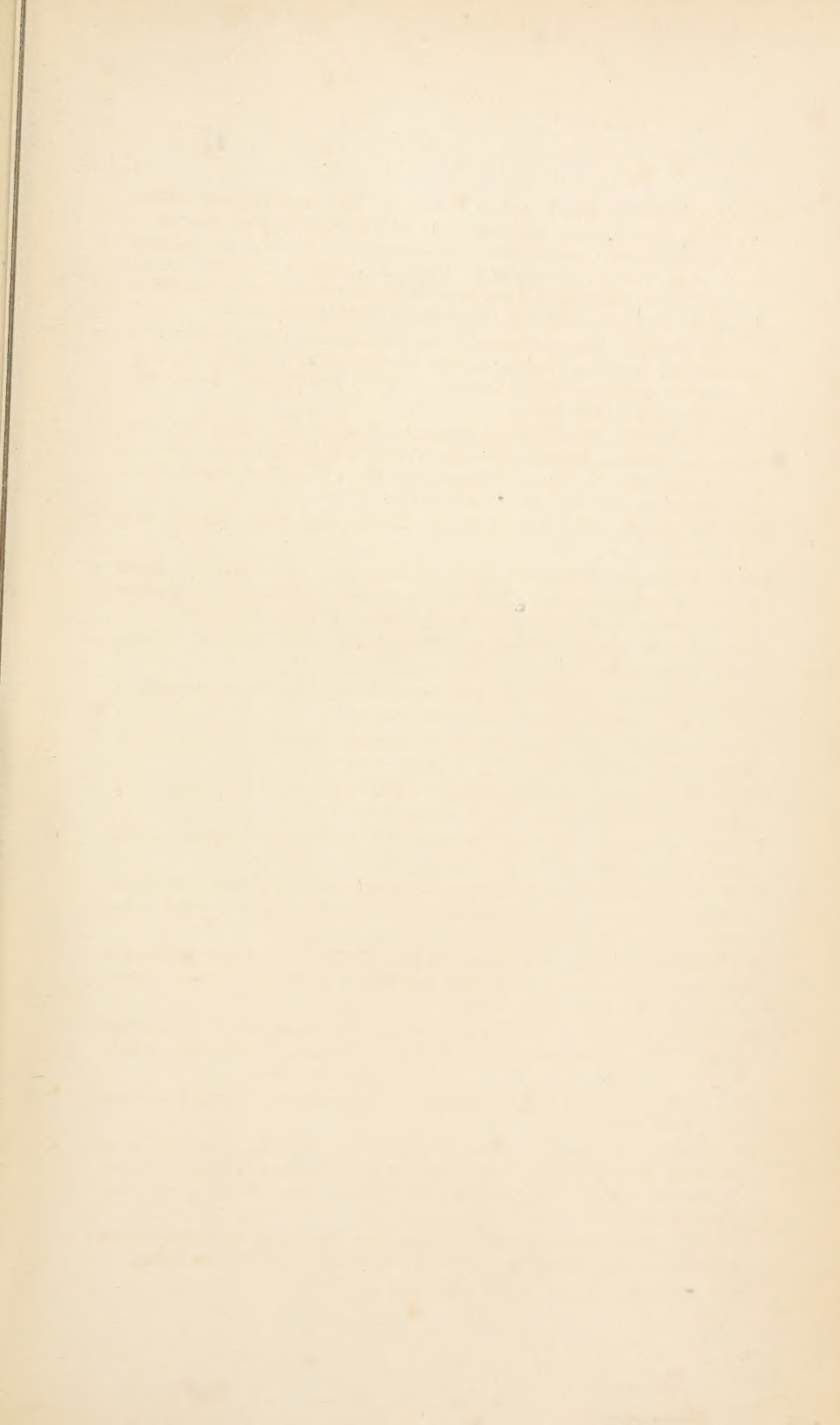
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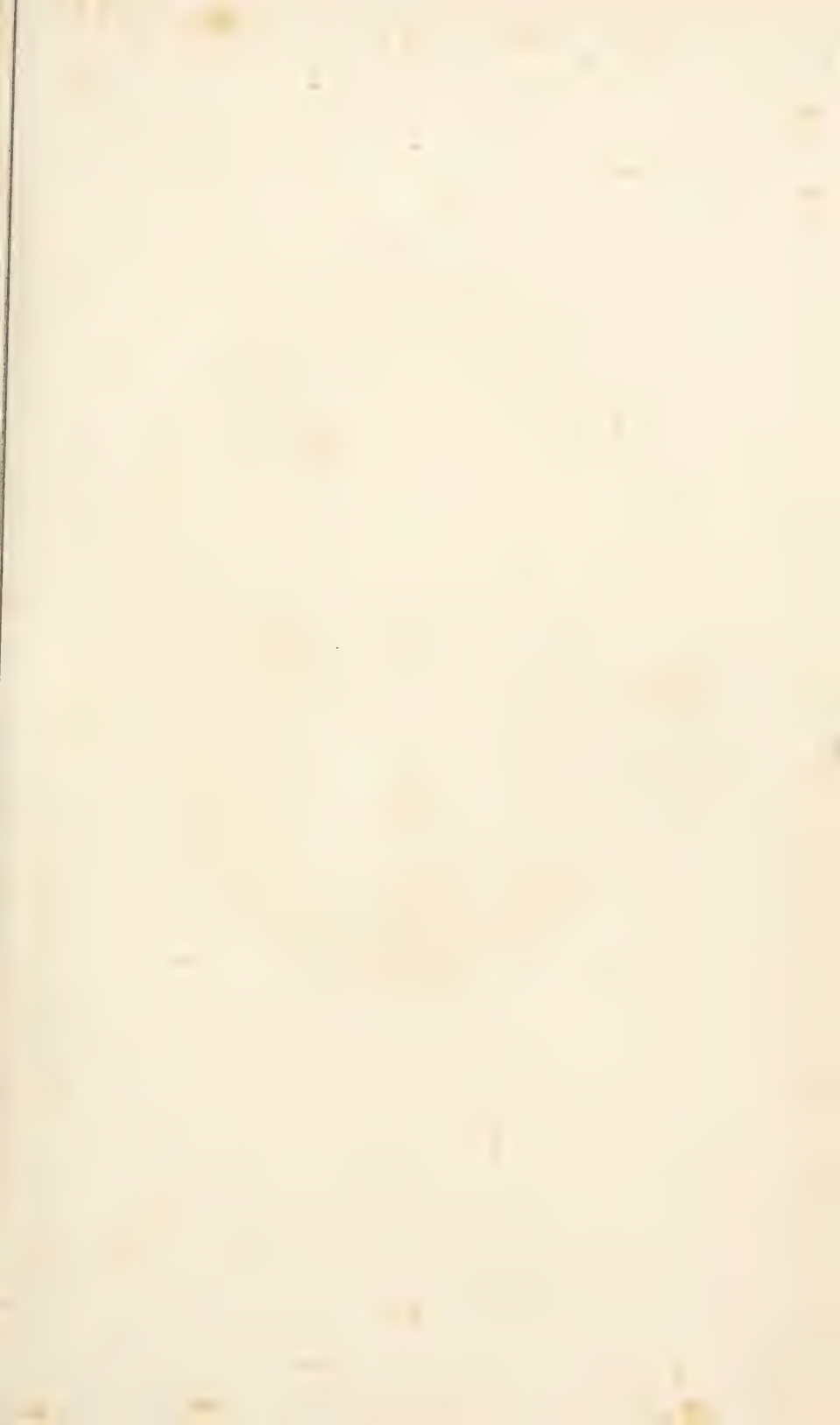
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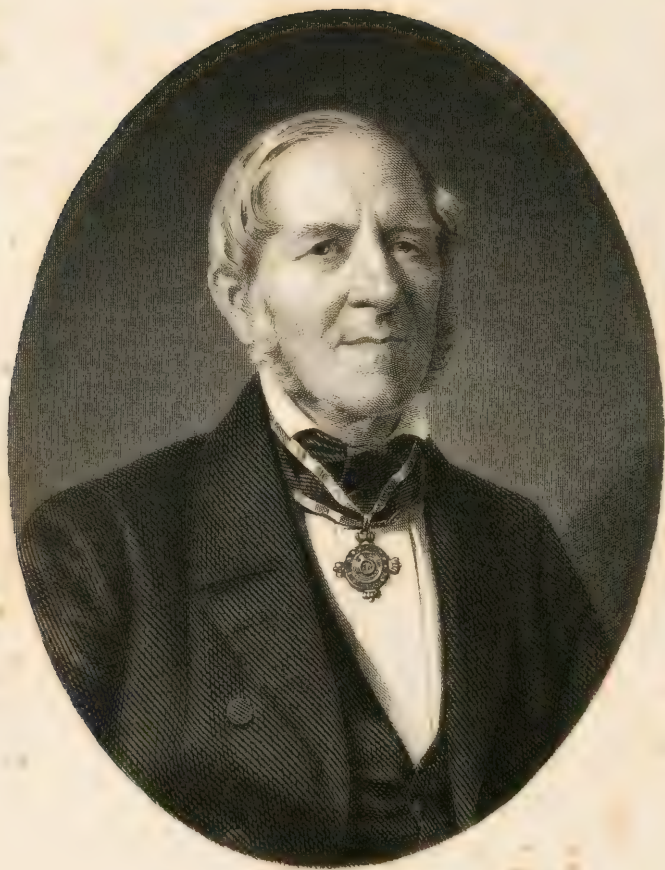












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BY

ANTHONY LAMB.

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For we are the only people that consider the man who takes no part in these things, not as a quiet, peaceable man, but as a useless member of the commonwealth.

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AND

CORNELIUS C. FELTON, LL. D.,

ELIOT PROFESSOR OF GREEK LITERATURE, AND REGENT IN HARVARD UNIVERSITY,  
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IN GRATEFUL ACKNOWLEDGMENT FOR THE SUGGESTIONS OF THE FORMER, TO WHICH  
THE TRANSLATOR IS LARGELY INDEBTED FOR THE COURAGE TO UNDERTAKE  
IT, AND FOR THE UNDESERVED KINDNESS OF BOTH, WHICH SUS-  
TAINED HIM IN THE PERSEVERANCE TO COMPLETE IT;

AND

AS AN EXPRESSION OF HIS HIGH APPRECIATION OF THEIR EMINENT  
PUBLIC SERVICES, AS AUTHORS AND EDUCATORS, IN  
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## P R E F A C E.

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IN the spring of 1851, being a permanent resident, as an invalid, at Saratoga Springs, in looking over the copy of a Review lent me by a friend, my eye was arrested by a notice that a second edition of Boeckh's *Staatshaushaltung der Athener* was in the course of publication. I had read the first edition of the work in the original many years previously, and had been impressed with the originality and finished erudition manifested in the investigations, and in the record of their results contained in this important production of that distinguished scholar. A half-formed wish had, even at that time, arisen in my mind, that I might some day have leisure and opportunity to present, in an English dress, what appeared to me so richly to deserve the requisite labor. This wish was revived by the reading of the notice. My health was in that condition that I could not endure continuous and regular labor, while at the same time my mind longed for some suitable employment that might keep its energies in action, and thus improve them, or at least might prevent their running, through inactivity, to waste. The more I reflected upon the subject, the more feasible and desirable the undertaking appeared, until at last I determined at least to try. In this determination I was encouraged by the Rev. Dr. Wayland, at that time, and until recently, President of Brown University, Providence, R. I., and by Professor J. L. Lincoln, of the same University. I procured the work, soon became absorbed in its translation, and the reader has the result before him.

Considerable progress had been made in the work before the translator was aware that a translation of the first edition of the original had been published in England, by G. C. Lewis, Esq., late editor of the *Edinburgh Review*, and at present the Rt. Hon. Sir G. C. Lewis, Bt., Chancellor of

the British Exchequer. A copy of it was procured from England, but did not reach the translator until the work had progressed as far as the 17th Chapter of the Second Book, page 357. In the subsequent portion, assistance was sometimes furnished by this translation, in ascertaining the precise idea of the author in certain passages; but upon comparing the two translations, it will be perceived that the present is independent of its predecessor. Of the comparative merit of his own, and of its adaptation to the use of American scholars and students who are not acquainted with the language of the original, it would not become the translator to say more, nor could he in justice to himself say less, than that it is a translation of the second edition of the original, of which the author says in the Preface, "many changes in its form, and many additions have been made, as might be expected, after the lapse of a whole generation since the first appearance of the work;" that many important inscriptions have been discovered since the publication of the first edition of the original, which have afforded the author new matter for the second edition, and which, in some particulars, have materially modified, and even changed, his views; that in the present translation the denominations of Currency, Weights, and Measures, as they are mentioned in the original work, have been carefully reduced to the standards of our own country, — Sir G. C. Lewis adopting, in the reduction, the standards of Great Britain; and that, in the translation of that gentleman, although as a whole it is substantially faithful and accurate, yet there remain, even in the second edition, many gross errors uncorrected.

That the present work partakes of the imperfect nature of all human productions, is a matter of course. But from the great care that has been bestowed upon its preparation, and the frequent revision it has received from some of the best classical and German scholars which this country has produced, the translator would fain hope that few, if any, *very gross* errors have escaped detection, and remain unnoticed in the Additions, Alterations, and Corrections at the commencement of the volume. Should the contrary appear, however, to any of its readers, the translator will be happy to receive their criticisms, and when just, will thankfully adopt them. Even should they be erroneous, but friendly, he would follow, in reference to their authors, the suggestion of Cicero: "*Nam qui admonent amice docendi sunt,*" without, if they should be valid, although bitter, carrying into practice, so far at least as concerns the criticisms, the sentiment



expressed in the remainder of the sentence: "*qui inimice sectantur repellendi.*"

While upon this topic, the translator would beg the indulgence of the reader for the rather long list of the Additions and Alterations, and of the Corrections of the errors of the text and the press. This is owing, in some instances, to the conciseness of the author's style, his sentences sometimes admitting of more than one rendering, in entire accordance with the context; in others, to the disadvantages of the want of books and learned friends to consult, hereafter to be mentioned, under which the first draught was made, a few errors arising from that cause not having been detected in time to correct them in the manuscript; in others, it is owing to the total inexperience of the translator, prior to the publication of the present work, in editorial labors, and, consequently, to his not being at first aware of the extreme care which is requisite in revising proofs; and in others, to the fact that, during the heat of the summer, while the printing of the work was in progress, he was afflicted with illness which prevented his giving that attention to the proofs which was desirable, and the absence, during the vacation at the University, of those scholars who, if present, might and would have assisted him, rendered it impossible for him to procure the necessary aid. In a few instances, it is owing to the fact that the true import of some particular clause, phrase, or term, in the connection in which they stand, or a better method of expressing it, did not occur to him until some time after his version of them was in print. All the errors of any moment that have met his eye, or that of the revisers of the work in the sheets, are noticed in the Additions, Alterations, and Corrections at the commencement of the volume, and a reference to all corrections of importance will be found in the Index. Those that have escaped observation the reader will himself correct.

A few particulars require notice. In giving the sense of the original, where the author has employed a German word to express the meaning of a Greek word, instead of transferring the same, as is usual with English authors, into his own language, the translator has followed his practice, and given the equivalent English word. This is done, for example, in reference to the Greek words  $\delta\tilde{\iota}\mu\omicron\varsigma$  and  $\delta\iota\kappa\alpha\sigma\tau\acute{\iota}\varsigma$ , translated by the author "Gau" and "Richter," and by the translator, "district" or "tribal district" and "judge," instead of transferring them as "*deme*" and "*dikast.*" It is true, that neither the German nor the English words,

in these instances, give the exact import of the Greek words ; but this is also true in a multitude of instances where Greek words are translated by the corresponding German or English terms. The latter, however, indicate to the unlearned German or English reader, with sufficient accuracy, the main characteristics denoted by the Greek words, and the specific difference may be easily learned from a Dictionary of Antiquities. The Greek words transferred, however, convey no meaning to the unlearned reader, and the only advantage of the practice is, that while they are understood by the learned, they compel the unlearned to inform themselves of their exact import. Oftener, however, they deter the latter from the reading of the works in which, without evident necessity, such words frequently occur.

The translator has also preferred to express the adjective derived from the word *trierarchy*, by the term *trierarchal*, rather than by the form *trierarchic*, adopted by Mr. Grote, in his *History of Greece*, and by others. The former is smoother and pleasanter to the ear, and the termination “-al,” is allowable by the analogy of our language, in the transfer of Greek adjectives ending in “-ος ;” as is evident from the examples, comical, critical, magical, mystical, musical, etc. By adopting, in the present instance, this termination, instead of the termination “-ic,” we will avoid introducing into our language another example of an accumulation of harsh sounds. The full form, according to analogy, would be *trierarchical*. This the translator has taken the liberty to abbreviate into *trierarchal*. He would also prefer the term *Taurian*, to *Tauric*, in reference to the Peninsula so called, had not the latter become fixed by immemorial usage.

The word, namely, in the sense of, to wit, viz., and as a translation of *nämlich*, is sometimes inserted after the first phrase or clause of a sentence, instead of being placed, as is more common, at the head of a member of a sentence or of a clause. For examples, see p. 353, l. 24, p. 379, l. 14 from the bottom, p. 411, l. 5, p. 519, l. 1, etc. The translator believes that this collocation of the word is allowable, according to the usage of good authors, although some of his friends, whose critical ability is to be highly respected, prefer a different practice.

The word *Poliorecetes*, the surname of Demetrius, the son of Antigonus, king of Asia, is once translated “the Captor of cities.” In this the translator has followed his author, (who translates it in different places “der

Städtebelagerer," "der Belagerer," and "der *Städteeroberer*)," Passow, Machiavelli, and others. And, in fact, Demetrius was as much distinguished by the capturing, as by the besieging, of a great number of cities.

The custom of giving to the Grecian deities their corresponding Latin names has been generally followed in the text of this work. However desirable it may have been that a different practice should have been originally introduced, their Latin names have become so stereotyped in the English and American literature, particularly in poetry, and so generally the only familiar ones to common readers, and the principal Greek and Roman divinities are so substantially the same characters, that in balancing the advantages and disadvantages of a change, the latter seemed to the translator to preponderate.

Similar remarks will apply to the proposed changes in the orthography of the Greek proper names in general.

With regard to the Saxon currency, and the Prussian weights and measures, it is proper to observe, that the original work was first published in 1817, and that the Saxon currency and Prussian weights and measures mentioned in it have reference to the standards in use in Saxony and Prussia at that time. Since the work was originally published, Saxony has adopted the same currency as Prussia and the other states of the Zollverein, and Prussia has, within the past year, introduced into the states under her government the decimal system of weights and measures.

All the notes of the author, with the exception of one or two of no general interest, have been translated. The few notes of explanation added by the translator are distinguished by the abbreviation, Tr.

The whole of the first draught of this translation was made under many disadvantages. With the aid of but few classical books and books of reference for classic studies, and those mostly of an elementary character, with no learned friends to consult, and with indifferent, though improving health, it was brought to a termination at the place where it was commenced, namely, at Saratoga Springs. While it was in progress it received the revision of Miss A. E. Wayland, of that place, for the purpose of correcting and improving the style, — a lady whose intellectual abilities, attainments, and beneficence have endeared her to all her acquaintance. Large portions of it have since been revised and compared with the original by the Rev. Dr. Barnas Sears, President of



Brown University, Providence, R. I., the Rev. Dr. Hackett, of Newton Theological Seminary, Prof. H. J. Schmidt, of Columbia College, New York City, and Professors J. L. Lincoln and James B. Angell, of Brown University; and the whole of it has been revised and corrected by Prof. C. C. Felton, of Harvard University, Cambridge, Mass., and Prof. Albert Harkness, of Brown University, Providence, R. I. It has also been thoroughly revised by the translator at Providence, R. I., and Cambridge, Mass., with the aid of the ample libraries contained in those cities.

To Miss Wayland, and to all of the above-mentioned gentlemen, the translator gratefully acknowledges himself indebted for important suggestions and emendations. He would also acknowledge his obligation to the courtesy of the late and present President and the Corporation of Brown University, and of the President and Corporation of Harvard University, for the use of their valuable libraries, which proved a never failing resource in every difficulty that could be removed by books. He is also indebted to Prof. Charles Anthon, of Columbia College, in New York City, for the offer of the use of his very extensive and excellent classical library, and of his assistance in responding to the expression of the wish to consult the library of Columbia College; of neither of which, however, was the translator, unfortunately, able to avail himself. From the joint library of Miss A. E. Wayland and William L. Stone, Esq., at Saratoga Springs, containing an excellent collection of standard English works and books of reference, he has derived, through the polite attentions of its proprietors, important aid. To the courtesy of Mr. Charles H. F. Moring, merchant of the city of Boston, and Hanseatic, Hanoverian, and Mecklenberg Schwerin consul for the city and port of Boston, acknowledgment is due for much information relative to the currencies and weights and measures of German states. Everywhere, with scarcely an exception, the translator has received such cordial assistance and encouragement from those scholars of his native land with whom he has had the pleasure of becoming acquainted, and from the professional gentlemen and men of business to whom he has applied for information, as imperiously require this public expression of his acknowledgment and thanks.

To the publishers and printers of the work, also, Messrs. Little, Brown and Company, and Messrs. Allen and Farnham, he would make the acknowledgment that is their due for their uniform courtesy and patience,

and for the accuracy, neatness, and taste which they have manifested in the performance of their arduous portion of the task.

The translator would now submit his work to the public, with diffidence in reference to his qualifications, and with the consciousness of the insufficiency of his attainments for so grave an undertaking, but with a firm confidence in the justice and candor of the scholars of his native land, who alone can appreciate the magnitude of the difficulties which, in its execution, he has had to encounter, and who, together with the scholars of other lands where the English tongue is native, alone can determine the degree of success to which he has attained, or of failure with which he must be charged.

If by its publication he shall have succeeded in adding some small mite toward increasing the interest, already so extensively felt in our country, in the study of THOSE IMMORTAL WORKS which have been for so many ages THE FOUNDATION OF ALL INTELLECTUAL CULTURE OF THE HIGHEST ORDER, and of the history and polity of THAT GREAT STATE which stands out so preëminently above her compeers of antiquity, in the words of Thucydides and of our author, as "THE TEACHER OF ALL THE LIBERAL ARTS AND SCIENCES, AND THE EDUCATOR OF HER CONTEMPORARIES AND OF POSTERITY," he will feel himself amply rewarded. Should his hope be disappointed, it will be but another instance of the failure of good intentions in a good cause.

Should the demand for the present work afford sufficient encouragement, it will be followed, if the life and health of the translator should, by a wise and just Providence, be spared, by other works of a kindred character.

CAMBRIDGE, MASS., February, 1857.





## ADDITIONS, ALTERATIONS, AND CORRECTIONS OF THE TRANSLATOR.

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- Page 34, note 2, line 2, for "Trephe—," read "Tro—."
- 36, last line, for "tetroboli," read "tetrobola."
- " n. 1, l. 1, for "medaeval," read "mediaeval."
- 37, l. 3, for "dioboli," read "diobola."
- " n. 6, l. 2, dele the comma after "etc."
- 38, n. 1, l. 2, for "τρεις χίλ—," read "τρειςχίλ—."
- " n. 1, l. 3, for "ἐκίη—," read "ἐξή—."
- 39, l. 12, for "pentakonta," read "pente—."
- " n. 5, l. 12, for "octo—," read "octa—."
- 40, last l., for "Philomon," read "Philemon."
- 41, l. 8, before "Chersonesus," read "the."
- 47, l. 7, for "72.49," read "79.4;" for "Troy," read "Avoird."
- 53, l. 12, for "Phalerius," read "Phalereus."
- 54, l. 1, dele "public."
- " n. 1. This citation should read as follows: "Discourse on the History, Manners, and Character of the Greeks, from the Conclusion of the Peloponnesian War to the Battle of Chæronea, prefixed to Gillies' Translation of Lysias and Isocrates, p. vi. London, 1778. 4to."
- 56, n. 4, l. 6, after "Reisk," a semicolon is wanting.
- 62, n. 4, l. 5 and 6, for "προσηγορίε—," read "προσηγορίε—."
- 63, n. 1, l. 5, the second "a" in "άλο—," should read "ά."
- 67, l. 13. The word brass is here used in a general way to denote that composition of metals usually signified by the Greek word χαλκός, and the Latin æs. That combination of metals called by us brass is said to have been entirely unknown to the ancients. Bronze, perhaps, would have been in the text the proper term.
- 67, l. 12 from the bottom, before "Pontus," read "the."
- " l. 2 from the bottom, before "Pontus," read "the."
- " l. 12 from the bottom, before "Peloponnesus," read "the."
- 69, l. 6, before "Pontus," read "the."
- " l. 10, before "Pontus," read "the."
- 71, l. 16, for "removal," read "appeal."
- 83, n. 5, l. 1, after "Schol.," change the comma into a semicolon.
- " n. 5, l. 2, after "p. 932, 20," change the comma into a semicolon.
- 84, n. 2, l. 3, for "Λ," read "A."
- 89, l. 2, for "acre," read "morgen."
- " n. 1, l. 1, after "ἐσχατί—," change the comma into a semicolon.

- Page 89, n. 1, l. 2, after "p. 256," change the comma into a semicolon.
- 90, n. 3, l. 4 from the end, for "Phocæa," read "Phocis."
- 92, n. 4, l. 2, for "orations," read "speeches."
- " n. 4, l. 2 and 3, for "oration," read "speech."
- 95, l. 12 from the bottom, for "thousand," read "hundred."
- " n. 1, l. 1, after "derision," change the comma into a semicolon.
- 96, l. 2 from the bottom. The word here translated chairmakers (by Boeckh Stuhl-macher), is in the original Greek *κλινοποιοί*, and means, properly, makers of all sorts of articles of furniture used for reclining, whether bedsteads, couches, settees, arm-chairs with reclining backs, etc.
- 98, n. 1, l. 5 from the end, for "Enyx," read "Eryx."
- 101, l. 6 from the bottom. See remark against p. 96 in the Additions, etc.
- 106, l. 8, after the parenthesis, change the comma into a semicolon.
- " l. 9, after "shekels," "two," and "sela," change the comma into a semicolon.
- " l. 6 and 10 from the bottom, for "Theopompus," read "Theophemus."
- 108, n. 4, l. 1, a comma is wanting after "Malle;" for "Econ.," read "Écon."
- 109, l. 2 from the bottom, before "Pontus," read "the."
- " l. 5 from the bottom, before "Pontus," read "the."
- " l. 4 from the bottom, for "Taurian," read "Tauric."
- 110, l. 8 from the bottom, before "Pontus," read "the."
- 112, n. 2, l. 4, a comma is wanting after "Malle;" for "Econ.," read "Écon."
- 113, n. 3, l. 1, a comma is wanting after "Malle;" for "Econ.," read "Écon."
- 114, l. 8 from the bottom, before "Pontus," read "the."
- 118, l. 5 from the bottom, before "Pontus," read "the."
- 127, l. 16, for "was the," read "contained a."
- 128, l. 2, for "2,770,742," read "2,770.742."
- " l. 3 and 4, for a more approximate reduction of the Attic medimnus to English and American standards, see the statements of the same, at the commencement of the volume.
- 131, n. 2, l. 4, a comma is wanting after "Malle."
- 133, l. 8, for "namely," read "especially."
- 135, l. 4 and 10, after "gal.," and before "1½ pts.," read "1 qt."
- " l. 5, for "56," read "58."
- For a more approximate reduction of the Attic metretes and cotyle to English and American standards, see the statements of the same at the commencement of the volume.
- " l. 9 from the bottom, read the first clause of the sentence: "But in earlier times the common price of wine may always have been," etc.
- 136, l. 13, for "Sinopeans," read "Sinopians."
- " l. 9 from the bottom, for "quart," read "Prussian quart, equal to about 1.7 English pints."
- 137, n. 2, l. 6, for "1.12 pts.," read "1.16 pts."
- 145, l. 8 from the bottom, for "Caunace," read "caunace."
- 149, n. from preceding p., l. 3, for "1.0303," read "1.0312."
- " n. from preceding p., l. 8, for "in the brackets," read "within the marks of parenthesis."
- " n. from preceding p., l. 10, for "10.241," read "10.259."
- " n. from preceding p., l. 13, after "96," read "or 96½."
- 153, l. 17 and 18. By the two main yards I mean the two large yards of the first, great, or mainmast. See Boeckh's *Seewesen*, p. 129.
- 154, l. 10 and 11, for "whole tackling, spars, and all the wooden implements," read, "wooden, and pendent equipments."
- 155, l. 7, for "namely," read "particularly."

- Page 160, l. 2 from the bottom, for "Troezene," read "Troezen."
- 165, l. 4, dele the comma after "Minerva."
- 165, l. 9 from the bottom, before "Pontus," read, "the."
- 166, l. 9 from the bottom, for "in the time of," read, "on the motion of."
- 167, l. 5, for "Cymation," read "cymation."
- 171, l. 11, for "Zonoras," read "Zonaras."
- 180, n. 5, l. 6, for "Zonoras," read "Zonaras."
- 190, l. 11, before "Pontus," read "the."
- " l. 21, before "Pontus," read "the."
- " l. 26-27, before "Pontus," read "the."
- 208, l. 1, for "government," read "finances."
- 210, l. 9 from the bottom, for "amphictyons," read "Am——."
- 217, n. 5, l. 1, for "fifth," read "fiftieth."
- 218, l. 12, after "θεοῦ," the mark of parenthesis is wanting.
- 220, l. 17, for "Eliæus," read "Elæus," or "Elæus;" both forms are used.
- 222, n. 7, l. 1, for "Ctesiphon," read "Cephisophon."
- 225, n. 1, l. 2, after "Greeks," and before the mark of parenthesis, read "p. LXXX., LXXXI."
- 226, l. 2 from the bottom, for "Valesus," read "Valesius."
- 234, l. 12, see p. 789, l. 4 from the bottom.
- 235, l. 4, for "tackling and rigging," read "pendent equipments."
- " l. 5 from the bottom, for "paralus," read "Par——."
- 236, l. 1, for "paralus," read "Par——."
- " n. 2, l. 9 from the end, for "Lamptra," read "Lamptræ."
- " n. 2, l. 9 and 10 from the end, for "ammonis" and "paralus," read "Am——" and "Par——."
- 237, l. 14, for "show," read "seem to indicate."
- 244, l. 8. In this passage and a few others, for "propylæa," read "Pro——."
- 256, l. 19, transfer the mark of quotation from after "council" to after "which."
- 261, l. 3 from the bottom, for "Eumolpides," read "——dæ."
- 265, l. 12, for "board," read "boards."
- 276, title of Chapter, l. 3, change the mark of interrogation into a period.
- 282, l. 2 and 3, for "aqueducts," read "waterworks."
- 283, n. 4, l. 1. See remark against p. 67 in the Additions, etc.
- 288, n. 5, l. 2, for "Zenoph.," read "Xenoph."
- 298, l. 9, for "Cyzacene," read "Cyzicene."
- 299, l. 6, for "by the Athenians themselves, even," read "even in the Athenæa."
- " l. 2 from the bottom, for "sitones," read "sitonæ."
- " n. 1, l. 4, after "and," a comma is wanting; after "passage," dele the comma.
- " n. 1, l. 5, after "refer," a comma is wanting.
- 304, l. 5, in "αρχι——," for "α," read "ἀ."
- 306, n. 5, l. 2, dele "on."
- 307, l. 6, for "Archidemus," read "Arched——."
- " l. 9, for "Archidemus," read "Arched——."
- " l. 22, for "Archidemus," read "Arched——."
- 315, l. 3, before "of slaves," read "the profit derived from the letting."
- 337, l. 5 from the bottom, for "his," read "their."
- 342, l. 4 from the bottom, for "ω," in "πρωτ——," read "φ."
- 345, l. 1, for "rius," read "reus."
- 364, l. 13, for "Corcyrean," read "Corcyræan."
- 367, l. 7 from the bottom, before "Pontus," read "the."
- " n. 5, l. 1, before "Pontus," read "the."



Page 367, n. 5. See p. 789.

- 369, l. 12 from the bottom, for " $100\frac{3}{4}$  (B. c. 378-7)," read " $100, \frac{3}{4}$  (B. c. 377.)"
- 372, l. 3, for "settlers," read "sut—."
- 374, l. 2 and 1 from the bottom, for "δεκα-στώ—," read "δεκα-στώ—."
- 380, l. 16 from the bottom, dele "But."
- 384, l. 9, for "manœuvring," read "manœuvring."
- 385, l. 6, for "oar-pads," read "covers of their seats." These were generally pieces of the hides, or the skins of animals. See Scheffer, Mil. Nav. II. 5; Boeckh, Seewesen, p. 106.
- " l. 13 from the bottom, for "hedgebill," read "sickle on the shaft of a lance."
- 396, l. 8 and 9, before each of the dashes a comma is wanting.
- 397, l. 4, for "against," read "to."
- 405, l. 11, for "ε," in "εγκύκ—," read "ἐ."
- 406, l. 4, for "Mitylene," read "Mytilene."
- " n. 9, last line, for "ξῆν," read "ξ—."
- 411, n. 1, l. 2, for "α," in "δημοσία," read "α."
- 414, l. 2, for "prytanias," read "prytaniæ."
- 416, l. 5, for " $8\frac{5}{8}$ ," read " $6\frac{9}{10}$ ." See n. 2, p. 278.
- " l. 15, for "cinnebar," read "cinna—."
- " l. 7 from the bottom, after "leasehold," read "for a term of years."
- 417, l. 15, for "isotelæ," read "isoteleis."
- 418, l. 3 from the bottom, after "coveted," change the comma into a semicolon.
- " l. 3 from the bottom, for "them," read "the Thasians."
- 420, n. 3, l. 1, for "α," in "Θρα—," read "φ."
- " n. 3, l. 2, for "α," in "Θρα—," read "φ."
- 421, l. 4 and 5, after "consumption," change the comma into a semicolon.
- " l. 6 and 7, after "revenue," change the comma into a semicolon.
- 424, l. 4 from the bottom, after "ointments," a comma is wanting.
- 428, n. 1, l. 7, for "only the sum," read "the sum only."
- 431, n., l. 13, for " $416\frac{1}{2}$ ," read "417."
- 432, l. 10, for "it," read "them."
- 450, n. 2, l. 2, for "J," read "I."
- 451, n. 1, l. 1, for "1712," read "712."
- 456, n. 4, l. 1, after "Vales," change the comma into a period.
- 459, n. 3, l. 1, after "Vales," a period is wanting.
- 467, l. 7, for "Dionysio-," read "Dionysio-."
- 468, n. 6, l. 1, after "Vales," a period is wanting.
- 471, l. 3, for "pryt—," read "Pryt—."
- " l. 5, for "pryt—," read "Pryt—."
- 480, l. 6, for "him," read "the defendant or the accused."
- " l. 7, for "him," read "the defendant or the accused."
- 486, n. 2, l. 5, after "γραφῇ," a comma is wanting.
- " n. 2, l. 16, for "ε," in "κακε—," read "η."
- 494, l. 3 from the bottom, for the first "α" in "απαγ—," read "ἄ."
- 495, l. 9, for "heliæa," read "Hel—."
- 496, n. 2, last line, for "ι," in "κατηγ—," read "ί."
- 499, l. 5 from the bottom, for "Cleomodon," read "Cleome—."
- 500, l. 4, for "ι," in "δημος—" and "ὀφελ—," read "ί."
- 501, l. 14, for "unoff—," read "off—."
- 504, n. from preceding p., l. 12 from the end of the n., for "eudeix—," read "end—."
- 506, n. 9, for "1323," read "1322."

- Page 508, n. 1, l. 6 from the end of the note, after "Phormio" dele the comma.
- 512, l. 10, for "only to cases," read "to those cases only."
- 513, l. 3, for "oration," read "speech."
- 517, n. 3, l. 2, after "149," change the period into a comma.
- 518, n. 1, l. 4, after "148," change the semicolon into a comma.
- 521, n. 3, l. 2, for "A," in "Avῆ——," read "'A."
- 524, l. 12, for "Mytilenean," read "Mytilenæan."
- " l. 13, for "Mytilenean," read "Mytilenæan."
- 527, l. 14, etc. See p. 789.
- 531, l. 7 from the bottom, for "amphic——," read "Am——,"
- 532, l. 5 from the bottom, for "Delian oration," read "speech on Delos."
- 534, l. 2, for "Proconesus," read "Proconnesus."
- 536, n. 1, l. 3, for "η," in "ἀναγ——," read "η."
- " n. 1, l. 4, for "η," in "τύχη," read "η."
- 537, l. 8 from the bottom, dele the comma between "most" and "part."
- 542, n. 3, l. 3, after "φέρει," change the period into a comma.
- 548, l. 4 from the bottom, for "Chalsis," read "Chalcis."
- " l. 2 from the bottom, for "hippobatæ," read "hippobo—."
- " l. 1 from the bottom, for "hippobatæ," read "hippobo—."
- 552, n. from preceding p., l. 3, for the last "ι," in "Ἀγιν——," read "ι."
- 553, l. 10 from the bottom, for "Mytilene—," read "Mytilenæ—."
- 561, l. 2, after "remains," a semicolon is wanting.
- " l. 3, before "and," change the comma into a semicolon.
- " l. 5, after the comma, a dash is wanting.
- 566, n. 1, l. 4, before "p. 286," read "Seg."
- 575, n. 6, for "XI," read "XII."
- 588, l. 11, for "arreph——," read "Arre——."
- 589, l. 6. See p. 789.
- 600, n. 1, l. 2 from the end, before "Acamantis," read "of the tribe."
- 613, l. 12 from the bottom, for "material," read "materiel."
- 620, l. 1. See remark against p. 96, in the Additions, etc.
- 628, n. 4, l. 2, for "Lavrion," read "Laurion."
- 629, l. 4, dele the comma after "Demosthenes."
- " l. 6, for "Phœnip——," read "Phæ——."
- 632, l. 3 from the bottom, after "leasehold," read "tenements."
- " n. 4, l. 3, for "incomes of the inhabitants," read "revenue."
- 640, n. 1, l. 5, for "πετακοσιμ——," read "πεν——."
- 642, l. 5, before "but," a comma is wanting.
- 643, l. 16 from the bottom, after "who," read "did."
- 647, l. 8, for "κατατιφ——," read "κατατιφ——."
- 654, n. 3, l. 1, for "Hίρ——," read "Hίρ——."
- 660, l. 1, for "mortgagors," read "mortgageors."
- 668, l. 21, for "the," at the end of the line, read "then," or "in that case."
- 675, l. 3 and 2 from the bottom, read the sentence, "But the speech belongs rather to Olymp. 107 (B. C. 352-349)."
- " n. 2, l. 7, for "against," read "to."
- 690, n. 2, l. 2, change the semicolon after "them" into a comma.
- 694, l. 2 from the bottom, for "Lysias," read "Isæus."
- 697, n. 1, l. 3, for "γῶμα," read "χῶμα."
- 705, l. 5, etc., from the bottom. See p. 789, l. 20, etc.
- 716, title of Chap. XIII., l. 2, transfer the mark of parenthesis from before "105" to before "B. C."

- Page 727, l. 3, after "trierarchy," dele the comma.
- 728, l. 2, after "equal," change the colon into a semicolon.
- 729, l. 15, after "before," dele the comma.
- " n. 2, l. 2 from the end, dele "by him," or for "him," read "Demosthenes."
- 730, n. 8, l. 4, after "13," change the period into a comma.
- 734, l. 4, for "trireme, sand," read "triremes and."
- 761, n. 2, l. 3, for "Samians," read "Smyrnæans."
- 764, n. 3, l. 2, for "M. u.," read "M. U."
- 770, l. 10, for "Lacheres," read "Lachares."
- 782, l. 18, after "protection," change the semicolon into a comma.

CORRECTIONS IN THE INTRODUCTORY MATTER AND IN THE INDEX.

Page viii, l. 7, dele "however."

— xvii, l. 15, dele the whole line.

“ l. 18 from the bottom, for “after, etc.,” read “for ‘leaseholds’ read ‘leasehold tenements.’”

— xxii, l. 6 from the bottom, for “pts,” read “pt.”

“ l. 5 from the bottom, a decimal point is wanting before “5888+.”

— 816, article “Pound,” last line, dele “considered.”

— 820, article “Σώρακοι,” etc., for “κατακ—,” read “καταπ—.”

— “ article “Spensinians,” read “Speu—.”





## THE PRINCIPAL WEIGHTS AND MEASURES

MENTIONED IN THIS WORK, REDUCED TO THE STANDARDS OF GREAT  
BRITAIN AND OF THE UNITED STATES OF AMERICA, ACCORD-  
ING TO SEVERAL STANDARD AUTHORITIES.

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### THE ATTIC TALENT.—Page 24, etc.

= 57.754977 Eng. lbs. Avoird., . . .	{ according to J. H. Alexander, in his Dic- tionary of Weights and Measures. Bal- timore, 1850.
= 57 lbs. 11 oz. 7.18 drs. Avoird.,	{ — C. Anthon. Classical Dictionary. New
= 70 lbs. 1 oz. 13 dwt. 13.3 grs. Troy,	{ York, 1853.
= 53 lbs. 7 loth, Saxon Weight, . .	{ — Conversations-Lexicon. Eighth Ed.
= 55.419495 Eng. lbs. Avoird., . . .	{ — Encyclopædia Americana.
= $\frac{1}{2}$ cwt., . . . . .	{ — William Smith. Dictionary of Greek and Roman Antiquities. New York, 1850.
= 56 lbs. 15 $\frac{1}{4}$ oz. 100.32 grs. Avoird., .	{

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### THE ATTIC MINA.—Page 24, etc.

= .962582 lb. Avoird., . . . . .	— Alexander.
= 15 oz. 6.25 drs., . . . . .	{ — Anthon.
= 1 lb. 2 oz. 0 dwt. 13.5 grs. Troy, . .	{
= .92365825 lb. Avoird., . . . . .	— Con. Lex.
= 14 oz. 14.93 drs. “ . . . . .	— Encyc. Amer.
= 15 oz. 83.75 grs. “ . . . . .	— Smith.

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### THE ATTIC TETRADRACHMON.—Page 24, etc.

= .038503 lb. Avoird., . . . . .	— Alexander.
= 9.86 drs. “ . . . . .	{ — Anthon.
= 11 dwt. 5.4 grs. Troy, . . . . .	{
= .03694733 lb. Avoird., . . . . .	— Con. Lex.
= 9.5572 drs. “ . . . . .	— Encyc. Amer.
= 266 grs. “ . . . . .	— Smith.

## THE ATTIC DRACHMA.—Page 24, etc.

= 67.38 grs. Avoird., . . . . .	— Alexander.
= 2.46 drs. “ . . . . .	} — Anthon.
= 2 dwt. 19.3 grs. Troy, . . . . .	
= .0092365825 lb. Avoird., . . . . .	— Con. Lex.
= 2.3893 drs. “ . . . . .	— Encyc. Amer.
= 66.5 grs. “ . . . . .	— Smith.

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## THE ROMAN LIBRA (POUND).—Page 24, etc.

= .0721897 lb. Avoird., . . . . .	— Alexander.
= 10 oz. 10 dwt. 9.5 grs. Troy, . . . . .	} — Anthon.
= 11 oz. 8.67 drs. Avoird., . . . . .	
= 5246.4 grs. Troy, . . . . .	— Encyc. Amer.
= $11\frac{3}{4}$ oz. Troy, . . . . .	— Smith.

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## THE ROMAN UNCIA (OUNCE).—Page 21.

= one twelfth of the Roman pound.

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## THE PARIS GRAIN.—Page 21, l. 5, etc.

= 0.82 Eng. grs. Troy, . . . . .	— Alexander, Con. Lex., Encyc. Amer.
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## THE PRUSSIAN PFUND.—Page 24, etc.

= 1.031180 lbs. Avoird., . . . . .	— Alexander.
= 1.03335 lbs. “ . . . . .	— Con. Lex.
= 1.0312 “ “ . . . . .	} — Scherer. Allgemeiner Contorist. Hamburg, 1834.

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THE MARK OF COLOGNE, by which Gold and Silver are reckoned in Prussia.—Page 25, l. 8, etc.

= .515306 lb. Avoird., . . . . .	} — Alexander.
= .626239 “ Troy, . . . . .	
= $233\frac{8}{1000}$ Fr. grammes, . . . . .	} — Murray's Handbook for Northern Germany.
= 8.2552 oz. Avoird., . . . . .	
= 7.5243 oz. Troy, . . . . .	

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## THE PLETHON.—Page 88, l. 3, etc.

= .2348 Eng. acre, . . . . .	— Alexander.
= 37 sq. perches, 157.26 sq. feet, . . . . .	— Anthon.
= 9900 sq. feet, . . . . .	} — Sir G. C. Lewis. Translation of the first edition of Boeckh's Staatshaushaltung der Athener.
= 10,112.5 sq. feet, . . . . .	
	— Smith.

## THE MAGDEBURGER MORGEN.—Page 89, l. 2.

= .6309 Eng. acre, . . . . .	— Alexander.
= about 2 roods, 21 sq. perches, . . . . .	— Con. Lex.
= about 2 roods, 21 sq. perches, . . . . .	— Scherer.

## THE PARIS POUCE (INCH).—Page 127, 128, etc.

= 1.0658 Eng. in., . . . . .	— Alexander.
= 1.0673 “ . . . . .	} — Con. Lex.
= 1.066 “ (according to another statement), . . .	
= 1.066 “ . . . . .	} — Encyc. Amer.
= 1.0657783 “ (according to another statement), . . .	

## THE PARIS LIGNE (LINE).—Page 127, l. 11 from the bottom.

= one twelfth of the Paris inch.

## THE GREEK (OLYMPIC) FOOT.

= 0.33714 Eng. yd., . . . . .	— Alexander.
= 1.01 Eng. ft., . . . . .	— Anthon.
= 1.007 “ . . . . .	— Encyc. Amer.
= 1 ft. 0.135 in., . . . . .	— Smith.

## THE GREEK (OLYMPIC) SQUARE FOOT.—Page 88, l. 2 from the bottom.

= 1.02297 Eng. sq. ft., . . . . .	— Alexander.
= 1.02 “ “ . . . . .	— Anthon.
= 1.014 “ “ . . . . .	— Encyc. Amer.
= 1.0226 “ “ . . . . .	— Smith.

## THE GREEK (OLYMPIC) CUBIC FOOT.—Page 127, l. 2 from the bottom.

= 1,787.8792 Eng. cub. in., . . . . .	— Alexander.
= 1,780.36 “ “ . . . . .	— Anthon.
= 1,477 Par. “ . . . . .	} — Boeckh.
= 1,789.172 Eng. “ “ . . . . .	
= 1,731 “ “ . . . . .	— Encyc. Amer.
= 1,786.97856 “ “ . . . . .	— Smith.

## THE ROMAN JUGERUM.—Page 112, l. 2 from the bottom, etc.

= 0.6229 Eng. acre, . . . . .	— Alexander.
= 2 roods, 19 perches, 187.09 sq. ft., . . . . .	— Anthon.
= 25,591 Rhineland sq. ft., . . . . .	} — Boeckh.
= 26,781 Eng. sq. ft., (according to the Encyc. Amer.),	
= 26,861.96 “ “ (according to the Con. Lex.), . . .	
= 34,468 “ “ . . . . .	— Lewis.
= 28,800 Roman sq. ft., . . . . .	— Smith.



## THE ROMAN FOOT.—Page 22, last line, 127, l. 17, etc.

= 0.32355 Eng. yd., . . . . .	— Alexander.
= 11.65 Eng. in., . . . . .	— Anthon.
= 131.15 Par. lines, . . . . .	} — Boeckh.
= .9704649 Eng. ft., . . . . .	
= 11.6456 Eng. in., . . . . .	} — Encyc. Amer.
= .965 to .970 Eng. ft., . . . . .	
= 11.6496 Eng. in., . . . . .	— Smith.

## THE ROMAN SQUARE FOOT.—Page 112, l. 7, etc.

= 135.67 Eng. sq. in., . . . . .	— Alexander.
= 135.36 “ “ . . . . .	— Anthon.
= 135.619 “ “ . . . . .	— Boeckh.
= 134.0964 to 135.4896 Eng. sq. in., . . . . .	— Encyc. Amer.
= 135.71 “ “ . . . . .	— Smith.

## THE ROMAN CUBIC FOOT.—Page 127, l. 18.

= 1580.27 Eng. cub. in., . . . . .	— Alexander.
= 1575.59 “ “ . . . . .	— Anthon.
= 1579.376 “ “ . . . . .	— Boeckh.
= 1552.8363 to 1577.0989 Eng. cub. in., . . . . .	— Encyc. Amer.
= 1581 “ “ . . . . .	— Smith.

## THE PRUSSIAN OR BERLIN SCHEFFEL.—Page 128, l. 1.

= 1.55970 Eng. bush. Winchester meas., . . . . .	— Alexander.
= 1 bush. 2 pks. 0 qt. .44670052 pt. Eng. Imperial meas., . . . . .	} — Con. Lex.
= 1 bush. 2 pks. 1 qt. 1.4866989+ pts. Win. meas., . . . . .	
= 1 bush. 2 pks. 0 qt. .768 pt. Imp. meas., . . . . .	} — Scherer.
= 1 bush. 2 pks. 1 qt. 1.818+ pts. Win. meas., . . . . .	

## THE ATTIC MEDIMNUS.—Page 128, l. 2, etc.

= 1.46973 Eng. bush. Win. meas., . . . . .	— Alexander.
= 1 bush. 1 pk. 5 qts. 1.28 pts. Imp. meas., . . . . .	} — Anthon.*
= 1 bush. 1 pk. 7 qts. 0.1575+ pts. Win. meas., . . . . .	
= 1 bush. 1 pk. 6 qts. 5888+ pt. Imp. meas., . . . . .	} — Con. Lex.
= 1 bush. 1 pk. 7 qts. 1.507+ pts. Win. meas., . . . . .	
= 1 bush. 3 gall. 5.75 pts. Win. meas., . . . . .	— Lewis.
= 11 gall. 7.1456 pts. Imp. meas., . . . . .	} — Smith.*
= 1 bush. 2 pks. 1 qt. 0.1445+ pt. Win. meas., . . . . .	

\* Prof. Anthon and Dr. Smith, in giving the equivalents of the Grecian measures of capacity, do not indicate whether they refer to the imperial standards in use in Great Britain, or to the Winchester standards adopted by the United States. From internal evidence, however, I conclude that the former are meant.

## THE ATTIC CHÆNIX. — Page 108, l. 13, etc.

= 0.03062 bush. Win. meas., . . . . .	— Alexander.
= 1.90 pts. Imp. meas., . . . . .	} — Anthon.
= 1.98 “ Win. meas., . . . . .	
= 1.9289 pts. Imp. meas., . . . . .	} — Con. Lex.
= 1.989 “ Win. meas., . . . . .	
= 1.953 “ Win. meas., . . . . .	— Lewis.
= 1.4866 pts., . . . . .	} — Smith.
= 1.9821 “ . . . . .	
= 3.9641 “ . . . . .	

## THE ROMAN MODIUS. — Page 86, l. 17, etc.

= 0.24496 bush. Win. meas., . . . . .	— Alexander.
= 7 qts. 1.21 pts. Imp. meas., . . . . .	} — Anthon.
= 7 “ 1.69 “ Win. meas., . . . . .	
= 1 gall. 7.8576 pts. Imp. meas., . . . . .	} — Smith.
= 1 pk. 0 qt. .3599 pt. Win. meas., . . . . .	

## THE PRUSSIAN QUART (Wine Meas.) — Page 135, l. 1, etc.

= 0.30244 gall. Eng. Wine (Winchester) meas., . . .	— Alexander.
= 0.251814 “ “ (Imperial) “ . . .	} — Con. Lex.
= 0.302327 “ “ (Win.) “ . . .	
= 0.25209 “ “ (Imp.) “ . . .	} — Scherer.
= 0.302659 “ “ (Win.) “ . . .	

## THE ATTIC METRETES. — Page 135, l. 3, etc.

= 10.26150 gall.	Eng. Wine (Win.) meas., .	— Alexander.
= 8 gall. 2 qts. 0.46 pt.	“ (Imp.) “ .	} — Anthon.
= 10 “ 1 qt. 0.188276 pt.	“ (Win.) “ .	
= 8 “ 2 qts. 1.50152 pts.	“ (Imp.) “ .	} — Con. Lex.
= 10 “ 1 qt. 1.4435+ pts.	“ (Win.) “ .	
= 10 “ 0 qt. 1 $\frac{1}{3}$ pts.	“ (Win.) “ .	— Lewis.
= 8 “ 7.365 pts.	“ (Imp.) “ .	} — Smith.
= 10 “ 2 qts. 1.68+ pts.	“ (Win.) “ .	

## THE ATTIC CHUS. — Page 128, l. 19, etc.

= .85513 gall.	Eng. Wine (Win.) meas., . . .	— Alexander.
= 2 qts. 1.705 pts.	“ (Imp.) “ . . .	} — Anthon.
= 3 “ 0.99 pt.	“ (Win.) “ . . .	
= 2 “ 1.79 pts.	“ (Imp.) “ . . .	} — Con. Lex.
= 3 “ 0.95 pt.	“ (Win.) “ . . .	
= 3 “ 0.816 pt.	“ (Win.) “ . . .	— Lewis.
= 5.9471 pts. (larger),	“ (Imp.) “ . . .	} — Smith.
= 3 qts. .34 pt.	“ (Win.) “ . . .	
= 1.9823 pts. (smaller),	“ (Imp.) “ . . .	
= 1 qt. .36 pt.	“ (Win.) “ . . .	

THE ATTIC COTYLE.—Page 125, l. 6 from the bottom, 135, l. 5, etc.

<i>Of Dry Measure.</i>		<i>Of Liquid Measure (Wine.)</i>	
= .00765 bush. Win. meas.,		.07126 gall. Win. meas.,	— Alexander.
= .48 pt. Imp. meas.,	}	.48 pt. Imp. meas.,	} — Anthon.
= .495 pt. Win. meas.,		.5763 pt. Win. meas.,	
= .4822 pt. Imp. meas.,	}	.4826 pt. Imp. meas.,	} — Con. Lex.
= .4974 pt. Win. meas.,		.5794 pt. Win. meas.,	
= .4955 pt. Imp. meas.,	}	.4955 pt. Imp. meas.,	} — Smith.
= .51119 pt. Win. meas.,		.5949 pt. Win. meas.,	

THE FRENCH MÈTRE.—Page 148, l. 2 from the bottom.

= 1.09363 Eng. yd.,	. . . . .	— Alexander.
= 3' 2" 2''' Rhineland,	. . . . .	} — Con. Lex.
= 3.27978 Eng. ft.,	. . . . .	
= 3.2808992 Eng. ft.,	. . . . .	— Encyc. Amer.
= 39.370799 Eng. in.,	. . . . .	— Murray.

THE PRUSSIAN AND RHINELAND FOOT.—Page 88, last line, and 148, last line, etc.

Berlin foot,	= 0.34324	Eng. yd.,	. . . . .	} — Alexander.
Surveyors' foot,	= 0.41189	"	. . . . .	
Rhineland foot,	= 1.0303	Eng. ft.,	. . . . .	— Brewster's Encyc.
Rhineland foot,	= 1.0312	"	. . . . .	} — Con. Lex.
Surveyors' foot,	= 1.23744	"	. . . . .	
According to another statement,				
Rhineland foot,	= 1.0294	Eng. ft.,	. . . . .	} — Con. Lex.
Surveyors' foot,	= 1.23528	"	. . . . .	
Berlin foot,	= .992	"	. . . . .	} — Encyc. Amer.
Rhineland foot,	= 1.023	"	. . . . .	
Prus. or Rhinel. ft.	= 12.356	Eng in.,	. . . . .	— Murray.
Werk-Fuss,	= 1.0297	Eng. ft.,	. . . . .	} — Scherer.
Feld-Fuss	= 1.23564	"	. . . . .	

THE PRUSSIAN GEOGRAPHICAL MILE.—Page 48, l. 13, etc.

= 4.6038 Eng. stat. miles, . . . . .	— Alexander.	
= $4\frac{3}{5}$ " " . . . . .	} — Con. Lex.	
= 23,642 Rh. ft. = 24,379 Eng. ft., . . . . .		
According to others,		
= 23,661 Rh. ft. = 24,399 " . . . . .		

## GERMAN MILE. — Page 278, last line, etc.

= 4.6038 Eng. stat. miles,	. . . . .	— Alexander.
The German is considered to be equal to the geographical mile, which is equal to 23,642, or, according to others, to 23,661 Rhineland feet (24,379 and 24,399 English feet,) or to four and three fifths English stat. miles; although it is properly somewhat longer, and is commonly reckoned at two Stunden, or 12,000 Schritte. . . . .		
German long mile,	= 10,126 Eng. yards, . . .	} — Encyc. Amer.
German short mile,	= 8,101 " . . .	
= 5 Eng. stat. miles,	. . . . .	— Lewis.
= 22,803 Rhineland ft.,	= 23,477.9088 Eng. ft., . . .	— Murray.
= 23,601.48 " "	= 24,302.443956 " . . .	— Scherer.
German long mile,	= $5\frac{3}{4}$ Eng. stat. miles, . . .	} — Webster's Dict. of the Eng. Language.
German short mile,	= $3\frac{9}{10}$ " " . . .	

## OLYMPIC STADIUM. — Page 279, l. 9, etc.

= 0.1149 Eng. stat. mile,	. . . . .	— Alexander.
= 202 Eng. yds. 0.88 ft.,	. . . . .	— Anthon.
= 603.9 Eng. ft.,	. . . . .	— Con. Lex.
= 606 ft. 9 in. Eng.,	. . . . .	— Smith.





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B O O K I.

OF PRICES, WAGES, INTEREST, AND RENT IN ATTICA.





THE  
PUBLIC ECONOMY OF THE ATHENIANS.

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BOOK I.

OF PRICES, WAGES, INTEREST, AND RENT IN ATTICA.

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CHAPTER I.

INTRODUCTION.

IF the area and population of States were the only scale for measuring their greatness and importance, the Athenian would stand far beneath the hordes of Huns and Mongolians. But material magnitude excites astonishment only. Mind invites the heart to admiring love. The former falls into decay, when no living spirit animates it. Every thing is subject to the intelligent spirit. This secured to the Athenians a high rank among the nations of the world's history. It was this which enabled a small band to become victorious over the numberless hordes of barbarians at Marathon, Salamis, and Platea. The road to freedom led over corpses; but from the bloody seed sprung a race which the spirit of the dead inflamed to new, intrepid deeds. Through the same energy of mind a small band of citizens, a single city acquired the dominion over thousands, as a

military chieftain rules over vast hosts. In infinite fulness and methodical variety the flower of art at the same time developed itself, to enhance the pleasures, and to refine the enjoyments of life; and the wise drew out of the deep fountains of their souls and of nature, eternal thoughts of God. Athens became the teacher of all the liberal arts and sciences, the educator of her contemporaries and of posterity. But, besides the internal energy of the soul, physical powers are needed by the spirit for external activity. These may all be purchased for money. This powerful spring sets the whole machinery of human activity in motion. As a methodical domestic economy is necessary to the prosperity of a family, so a commonwealth, a community of families, brought into existence by nature itself, cannot dispense with a well-arranged system of revenues to meet its expenditures. And since almost all the relations of the State, and of individuals, are intertwined with the great public economy of the community, neither the life of antiquity can be understood without a knowledge of its finances, nor its finances without an accurate insight into the interior of the State, and of public life. Therefore have I undertaken to describe in detail, to the best of my ability and knowledge, the public economy of the Athenian State, the greatest and the noblest of the States of Greece. My aim is the truth; and I shall not regret, if one result of my work shall be to moderate the unlimited veneration for the ancients, inasmuch as it is found, that when they touched gold, their hands also became defiled. Or ought the history of the past to be written only to inspire our youth with enthusiasm? Ought the investigator of antiquity to conceal the fact that, at that time also, as at the present day, every thing was imperfect? Let us rather acknowledge, that many of the most excellent men of antiquity were infected with the common failings of the human race; that these failings broke forth the more vehemently in their passionate natures, inasmuch as the meekness and humility of a milder religion, of which they felt not the need, was wanting to purify their hearts; that at last these failings cherished and flattered, undermined and overthrew, the stately edifice of antiquity itself.

Among the many subjects to which reference is here made, few have as yet been subjected to a comprehensive investi-

gation, or received an extended exposition. General views, the intuitive perceptions of an ingenious mind, do not compensate for the want of profound investigation; and the more sparingly the fountains flow, the more urgent becomes the duty faithfully to use the supply which they furnish, and from it to form general judgments. An assuming superficialness, and an insipid coxcombry, jingling the changes of critical and grammatical ostentation, are equally to be avoided. Every other course either allows the inquirer to lose himself in endless and disconnected particulars, which, in accordance with the manner of most investigators of antiquity, have a merely external bond of union, or leads him into errors, which often allure the assent by their apparent beauty. Thus attempts have been made to account for the neglect of the industrial arts by the ancients, and their carelessness in reference to their finances, by ascribing what was assumed to have been their conduct in these particulars, to the dominion of religion over their feelings. But leaving out of view the consideration, that piety is more compatible with a well-arranged domestic economy, than with one of an opposite character, the supposition itself is false. For we do not find that the ancient States were less solicitous in regard to their revenues, and to defraying their expenditures, nor that individuals despised earthly possessions more than is usual at the present day. If the finances of the Greeks were badly managed, this arose from other causes to be sought in their political constitutions.

As regards the science of public economy, it was certainly, among the ancients, in an imperfect state. Among them, its relations were too simple to admit of being scientifically treated; and the ancients, until the time of Aristotle, (indeed Aristotle himself,) did not assign a particular science to each separate department of practical life, but treated of the sciences in a very comprehensive manner. Hence Aristotle, in his *Politics*, treats both of education and of the finances, although but cursorily. In the *Œconomics*, of which it is uncertain whether Aristotle or Theophrastus is the author, the subject of public economy is, in the manner of Aristotle, scientifically, but very briefly, treated. The works of Plato upon the State, contain almost nothing concerning finances, because such ideal States as those of Plato have no more need of a carefully arranged

economy, than of a complete system of laws. But yet there are found in Plato the soundest maxims upon subjects relating to the industrial arts; for instance, a masterly confirmation of the celebrated principle of the division of labor: and general and not unimportant observations relating to political economy, occur in the writings of Xenophon. Moreover, the ancients fixed the limits with more precision between those subjects which are capable of a scientific treatment, and those which do not admit it. But the financial art, since it has reference to merely fluctuating circumstances,—its object being the supply of continually varying wants from continually varying revenues, and to adjust them to each other in a due relation corresponding with the resources and circumstances of the State,—seemed certainly to the ancients not adapted to scientific exposition. Practical principles in relation to this subject, on the other hand, were by no means wanting, although differing according to times and places, and in different stages of development. Sparta, with its simple constitution, could adopt no regular system of finance. The wants and revenues of Athens were so considerable, that particular attention to the finances soon became necessary. But all the relations of the finances of the latter could not be developed until after the Persian wars; and after the time of Alexander, on the other hand, they necessarily lost, with the loss of freedom, their peculiar character. Our account of them will be confined chiefly within these two limits. To statements and occurrences of earlier and later periods, as well as to the regulations of other Greek commonwealths, we refer only incidentally. But in Athens, and in the age just mentioned, the Greek public economy was displayed on its greatest scale. All the democratic States of Greece had, in general, without doubt, the same financial system. Some few particulars must be excepted, and these arose from the peculiar condition of individual States. The more is it to be regretted, that works such as Aristotle's Constitution of Athens, and the writings of Philochorus, from which special disclosures might have been expected, are for ever lost, and that others, as, for example, Xenophon's 'Treatise upon the Sources of Revenue, (*περὶ πόρων*,) furnish information so exceedingly limited.



## CHAPTER II.

## TOPICS OF THIS BOOK. — GOLD AND SILVER THE STANDARD OF PRICES.

WHAT amount of money the State needs in order to accomplish its objects; what may be effected with its revenue; finally, the amount of the revenue itself, and its relation to the property of the people, cannot be determined without knowing the prices of commodities, the usual wages of labor, the ordinary profit of business, and the rate of interest. A brief treatment will suffice for the last-mentioned topic, since it has been amply elucidated by the works relating to it already published by Salmasius. The attempt to ascertain the prices of commodities during the period of which we treat, is an undertaking entitled to lenity; since the mutability of the same, according to times and places, the indefiniteness and unreliable character of the few sources of information, in part jesting comic authors, or orators moulding every thing in conformity with their own purposes, embarrass every step of the investigation; since Barthelémy<sup>1</sup> was deterred from the attempt; and also since, notwithstanding not only Roman but also Hebrew antiquity has urged to similar investigations,<sup>2</sup> not even any half-qualified predecessor affords any alleviation of the task.<sup>3</sup> Before considering the Attic finances, therefore, let this first book be devoted

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<sup>1</sup> See Anacharsis.

<sup>2</sup> Hamberger de pretiis rerum apud veteres Romanos disputatio, Götting. 1754, 4; v. Keffenbrink über das Verhältniss des Werthes des Geldes zu den Lebensmitteln seit Constantin dem Grossen bis zur Theilung des Reichs unter Theodosius dem Grossen, und über desselben Einfluss, Berlin, 1777, 8; both prize essays. Michaelis de pretiis rerum apud Hebraeos ante exilium Babylonicum; Comm. Soc. Reg. Scient., Götting. Vol. III. (1753) p. 145.

<sup>3</sup> Meursius de Fort. Att. Cap. IV., or Gillies's Observations upon the History, Manners, and Character of the Greeks, from the Conclusion of the Peloponnesian War until the Battle of Chæronæa, in the Introduction, and a few special scattered accounts are to be excepted from this remark.



to determining the prices of commodities, the wages of labor, and the rate of interest.

The precious metals, silver and gold, are the standard of prices; although it is a familiar truth that it may be said of gold and silver, that they have become dearer or cheaper in relation to other commodities, as well as of the latter, that they have become dearer or cheaper, in relation to the precious metals. And in truth, if, as is acknowledged to have been the case, a less amount of the precious metals was given in ancient times in exchange for other articles of necessary use, than at the present day, this arose not from the inferior value of other commodities, but from the higher value of these metals. For the stock of all the articles which beside silver and gold are necessary for the conveniences of life, with the exception of some particular commodities not absolutely indispensable, certainly bore, in the average, the same relation to the demand, as in later times. But the supply of the precious metals has, upon the whole, and leaving out of view particular countries from which they were obtained at certain periods, been greatly increased. For centuries there has been a constant digging and raking over of the surface of the earth, and new productive sources of these metals have been continually opened; for example, by the discovery of America; and at the same time, their indestructibility and great value have, in most cases, preserved them from being lost.

### CHAPTER III.

#### GRADUAL INCREASE IN THE QUANTITY OF THE PRECIOUS METALS.

THE quantity of the precious metals, both bullion and particularly coinage, increased at first slowly in Greece; but it soon augmented more rapidly when the treasures of the East were opened. The prices rose in the same ratio, so that in the time of Demosthenes the value of money seems to have been five times less than in the time of Solon. There can, it is true,

be no doubt that, so far back as tradition reaches, gold and silver were in use in Greece and in the adjacent countries, and were manufactured into vessels and other utensils, and into ornaments. We may be permitted to dispense with presenting the conclusions which may be drawn from Homer in relation to this subject, since it would be foreign to our object. Even he who believes Homer's representations to be true, or consistent with the actual state of society in the age in which he lived, will not assert that there was a great accumulation of the precious metals in the heroic ages. The quantity, particularly of gold, both in Rome as well as in Greece, was, in the earlier historical periods, according to unexceptionable testimony, extremely small. In the time of Cræsus, according to Theopompus, gold was not to be found for sale in any of the Greek States. The Spartans, needing some for a votive offering, wished to purchase a quantity from Cræsus; manifestly because he was the nearest person from whom it could be obtained.<sup>1</sup> Cræsus allowed the Athenian Alcmaeon to take as much gold from his treasury as he could carry at once, and then presented him with as much more.<sup>2</sup> This liberality enabled him to lay the foundation of the wealth of his family. Even during the period from the seventieth to the eightieth Olympiads, (B. C. 500-460,) pure gold was a rarity. When Hiero of Syracuse wished to send a tripod and a statue of the Goddess of Victory, made of pure gold, to the Delphian Apollo, he could not procure the requisite quantity of metal until his agents applied to the Corinthian Architiles, who, as was related by the above-mentioned Theopompus and Phanias of Eresus, had long been in the practice of purchasing gold in small quantities, and hoarding it.<sup>3</sup> Greece proper itself did not possess many mines of precious metals. The most important of the few which it possessed were the Attic silver mines of Laurion. These were at first very productive. Thessaly possessed gold ores, Siphnus silver and gold, Epirus, lying in the vicinity of

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<sup>1</sup> Concerning Rome, see Plinius, N. H. XXXIII. 5 sqq., 16 sqq., 47 sqq. Concerning the other particulars, see Theopompus in Athenæus, VI. p. 231 F.; comp. p. 231 B; Herodot. I. 69.

<sup>2</sup> Herodot. VI. 125.

<sup>3</sup> In Athenæus, VI. p. 232 A.

the Greeks, silver. This latter metal was found also in Cyprus.<sup>1</sup> But the Pangæan mountains, upon the confines of Macedonia and of Thrace, contained mines particularly valuable; and beside them, there is in Thrace the river Hebrus, whose sands, in ancient times, yielded gold.<sup>2</sup> In those mountains themselves, and on both sides of them, westward as far as the Strymon and Pæonia, and eastward as far as Scape Hyle, there were silver and gold mines.<sup>3</sup> It was reported that, even in Pæonia, the husbandmen, while ploughing, found pieces of gold.<sup>4</sup> On the east side were the most important gold mines near Scape Hyle, and the precious metal extended over to Thasus. In this island very considerable and productive mining was carried on at first by the Phœnicians, who had also first engaged in mining on the continent in that vicinity. The same mines were afterward worked by the Thasians, until the Athenians took possession of the mines of Scape Hyle.<sup>5</sup> On the west, in Macedonia, as early as the age of Alexander the First, the son of Amyntas, in the time of the Persian wars, a silver talent was daily obtained by him from the mines.<sup>6</sup> The principal mining places, however, were Daton and Crenides, and at a later period, Philippi. The Thasians occupied the last-mentioned place about Olymp. 105, 1 (B. C. 360). But subsequently Philip of Macedon so successfully worked its formerly unproductive mines, that he is said to have obtained from them a thousand talents annually. In the same place, according to the common belief, the gold even grew again.<sup>7</sup> When, therefore, ancient historians assert<sup>8</sup> that Philip had a golden cup,

<sup>1</sup> Reitemeier gives more information upon this subject in his work "Ueber den Bergbau der Alten," p. 64 sqq. Concerning Laurion, see Book III. 3 of the present work.

<sup>2</sup> Plin. N. H. XXXIII. 21, and others.

<sup>3</sup> Herodot. VII. 112; Strabo, VII. (Chrestom.) p. 331, and elsewhere; Xenoph. Hellen. V. 2, 12; Plin. N. H. VII. 57; Athenæus, II. p. 42, B.; Lucian Icaromennippus, 18, and the schol. on the same; Clemens of Alexandria, and others.

<sup>4</sup> Strabo, as above cited.

<sup>5</sup> See Book III. 3 of the present work.

<sup>6</sup> Herodot. V. 17.

<sup>7</sup> Strabo, as above cited; Diodor. XVI. 3, 8; Appian, concerning the Civil Wars, IV. 106; Pliny, N. H. XXXVII. 15; the so-called Aristot. Mirab. Ausc. cap. 42.

<sup>8</sup> In Athenæus, VI. in the passage already quoted. Comp. Pliny, N. H. XXXIII. 14.

which he so carefully preserved as an article of great value, that, when he lay down to sleep, he placed it under his pillow, and furthermore, that before the time of Philip a silver vessel was a great rarity, the conclusion by no means follows, that but a small quantity of the precious metals had been gained from the earth. On the contrary, productive mines had been already worked in Greece itself, and in the adjacent countries, and from the East a large amount of gold and silver had been introduced. The only legitimate conclusion is, that but a small portion was at that period manufactured for private use, and that luxury had not yet reached its height.

Asia and Africa furnished incomparably a larger quantity of the precious metals than was procured in Greece and the other European countries. Some also was obtained from those places which were for a time possessed by the Greeks. For example, there were mines at Astyra, near Abydos, which were still worked in the time of Xenophon;<sup>1</sup> and in the time of Strabo, although their produce was inconsiderable, they still exhibited traces of having been, in earlier times, more extensively worked.<sup>2</sup> I will pass over Egypt, the rest of Africa, and many individual mining places, and present as examples only a few prominent points. Colchis, Lydia, and Phrygia, were distinguished for their abundance of gold. Some derive the tradition of the golden fleece from the gold washings in Colchis.<sup>3</sup> Who has not heard of the riches of Midas, and Gyges, and Cræsus, the gold mines of the mountains Tmolus and Sipylus, the gold-sand of the Pactolus? Pythes, or Pythius, the Lydian, lord of Celænæ, at the sources of the Meander, the richest, and most unfortunate man of his time, is reported to have possessed two thousand talents of silver, and 3,993,000 gold darics, the produce of his mines and gold washings. But this report may have been exaggerated. Xerxes increased the number of his darics to four millions.<sup>4</sup> This treasure of Pythes, including the increase added by Xerxes, and reckoning gold to be worth only tenfold more than silver, and the talent according to Attic weight, is equiv-

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<sup>1</sup> Xenoph. *Hell.* IV. 8, 37.

<sup>2</sup> Strabo, XVI. p. 680.

<sup>3</sup> Strabo, I. p. 45; XI. p. 499, and the commentators; Pliny, *N. H.* XXXIII. 15.

<sup>4</sup> Herodot. VII. 28, and the commentators.



alent to twenty three million Prussian thalers, or \$15,732,000. Assume but the third part as the true sum, what a treasure for an insignificant lord! In general, immense sums lay unemployed in the kingdom of Persia. This shows that there was an abundance of the precious metals, although not, to be sure, in circulation. Cyrus acquired from the conquest of Asia, according to Pliny's account,<sup>1</sup> thirty four thousand pounds of gold, without including the vessels and what was manufactured; but of silver, (which is hard to believe, however,) five hundred thousand talents. From the connection, it appears that Pliny, we know not why, considered them Egyptian talents of eighty Roman pounds. Deducting what the satraps drew for their own expenses, or what was used in the provinces for the administration of government, there flowed annually into the royal treasury, in the reign of Darius, the son of Hystaspes, 7,600 Babylonian talents of silver.<sup>2</sup> These, according to the method of reckoning of Herodotus,<sup>3</sup> were each equivalent to seventy Euboic minas, together, therefore, to 8,866 $\frac{2}{3}$  Euboic talents. If we add to this amount the 140 Babylonian talents separately mentioned, which were employed upon the Cilician cavalry, we have the sum of 7,740 Babylonian, or 9,030 Euboic talents. In the text of the author, however, the sum is computed to be 9,540, and only one manuscript gives, partly in the margin, partly by correcting the text, 9,880: an error which in no way can be rectified. Beside this, the Indians delivered annually 360 Euboic talents of fine gold. These, reckoning the gold at thirteen times the value of silver, were equivalent to 4,680 talents of silver. According to the text of the historian, therefore, the king's income amounted to 14,560 talents; or, if we reckon for ourselves what is stated in Herodotus, according to the present reading, omitting what was employed upon the Cilician cavalry, to 13,546, and including that sum, to 13,710 Euboic talents. From the very productive gold mines of India, together with its rivers flowing with gold, among which in particular the Ganges may be classed, arose the fable of the gold-digging ants.<sup>4</sup> From these annual revenues

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<sup>1</sup> Pliny, XXXIII. 15.

<sup>2</sup> Herodot. III. 94.

<sup>3</sup> Herodot. III. 89.

<sup>4</sup> Herodot. III. 102 sqq.; Plin. N. H. XXXIII. 21, and many passages in the fifteenth book of Strabo.



the royal treasure was formed. By this a great quantity of precious metal was kept from circulation. It was manifestly their principle to coin only as much gold and silver as was necessary for the purposes of trade, and for the expenditures of the State.<sup>1</sup> In Greece, also, great quantities were kept from circulation, and accumulated in treasuries. There were locked up in the citadel of Athens 9,700 talents of coined silver, beside the gold and silver vessels and utensils. The Delphian god possessed a great number of the most valuable articles. Gyges, even at the early period in which he lived, sent very many gold and silver votive offerings to Delphi.<sup>2</sup> Among them were six golden bowls, such as were used for mingling wine and water, weighing thirty talents. They were placed in the Corinthian treasury at Delphi. I pass over the innumerable gifts of others, and only call to mind the pious liberality of Cræsus.<sup>3</sup> Beside what he gave to other temples, he dedicated a large amount of silver at Delphi; namely, a bowl of this metal for mingling wine and water, containing six hundred amphoræ, four silver casks, a golden and silver holy-water-pot, round silver ewers, a golden statue three cubits high, 117 pieces of gold of the shape and size of half a brick, together weighing, according to Herodotus, 232½ talents, of which 4½ talents were pure gold, the rest was white gold; (Diodorus, on the contrary, inaccurately reckons the number at 120, each of the weight of two talents); a golden lion, weighing ten talents, from which, at the burning of the temple in the time of the dominion of Pisistratus, four and a half talents of pure gold were melted; a golden bowl for mingling wine and water, weighing eight talents and forty-two minas; and, according to Diodorus, 360 golden cups besides, each weighing two minas, together with many other valuable articles. Diodorus estimates the aggregate weight of the cups, of the lion, and of the statue of a female, three cubits high, at thirty talents, so that there are left for the weight of the statue, eight talents. Adding the whole together, the votive offerings of Cræsus in gold alone, without taking into account many other manufactured articles,

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<sup>1</sup> Strabo, XV. p. 735.

<sup>2</sup> Herodot. I. 14.

<sup>3</sup> Herodot. I. 50, sqq.; Diodor. XVI. 56. To examine here what Wesseling says upon the latter passage, would open too wide a field of discussion.

and without reckoning those of which the weight is not given, amounted to more than 271 talents. If we add the rest of the gold, the assertion of Diodorus, that in later times gold pieces were coined from these offerings of Cræsus to the value of four thousand talents of silver, seems not exaggerated. War, in particular, gradually distributed these accumulated masses of precious metals. When the king of Persia carried with him into the field money and articles of value upon the backs of twelve hundred camels,<sup>1</sup> so much the more were the Greeks enriched by the calamities which befell his armies. History has preserved many examples of persons who, by that means, laid the foundation of their prosperity. Soon the great king and his satraps were compelled to condescend to pay large sums of gold to Greek mercenaries, to bestow subsidies, presents, and bribes. Sparta received from the Persians more than five thousand talents to aid her in carrying on war.<sup>2</sup> The magnificent expenditures of Pericles upon public edifices and structures, for works of the plastic arts, for theatrical exhibitions, and in carrying on wars, distributed what Athens had collected, into many hands. The temple-robbing Phocians coined from the treasures at Delphi ten thousand talents in gold and silver; and this large sum was consumed by war.<sup>3</sup> Philip of Macedonia, in fine, carried on his wars as much with gold as with arms. Thus a large amount of money came into circulation in the period between the commencement of the Persian wars and the age of Demosthenes. The precious metals, therefore, must of necessity have depreciated in value, as they did at a later period, when Constantine the Great caused money to be coined from the precious articles found in the heathen temples.<sup>4</sup> But what a quantity of gold and silver flowed through Alexander's conquest of Asia into the western countries! Allowing that his historians exaggerate, the main point, however, remains certain. Beside what was found in the camp and in Babylon, the treasures of Susa and Persis were estimated at forty thousand, according to others,

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<sup>1</sup> Demosth. concern. the Symmor., p. 185.

<sup>2</sup> Isocr. *Συμμαχ.* 32.

<sup>3</sup> Diod. as above cited; Athenæus, VI. p. 231, D.

<sup>4</sup> *Monitio ad Theodos.* Aug. de *inhibenda largitate*, Thes. Ant. Rom. Vol. XI. p. 1415, according to Taylor's explanation of the Sandwich Marb. p. 38.

at fifty thousand talents.<sup>1</sup> The treasure of Pasargadæ is stated at six thousand, that of Persepolis at 120,000 talents. In the whole, 180,000 talents, according to the account preserved by Strabo, are said to have been collected together at Ecbatana.<sup>2</sup> Eight thousand talents, which Darius had with him, were taken by his murderers. Alexander's liberality and extravagance are consistent with sums of such immense magnitude. His daily meal cost one hundred minas. He gave his soldiers great rewards, and paid their debts, amounting to 9,870 talents. He offered Phocion one hundred talents, and made a present of two thousand to the Thessalians. The obsequies of Hephæstion are said to have cost twelve thousand talents; Aristotle's investigations in natural history, eight hundred.<sup>3</sup> The correctness of these statements, however, is very doubtful. He collected annually in Asia thirty thousand talents, and left behind him a treasure of only fifty thousand.<sup>4</sup> The wealth of his satraps was also extraordinary. Harpalus is said to have accumulated five thousand talents, although he reported at Athens only 750.<sup>5</sup> Alexander's successors not only collected immense sums, but by their wars again put them into circulation. The gold and silver plates in the palace at Ecbatana were already during the reign of Alexander, for the most part, taken away. Antigonus and Seleucus Nicator continued the removal of those which remained. Nevertheless Antiochus the Great was able to have four thousand talents of gold coined from the few pieces of gold, and many of silver, found there, in the shape of a brick, and from the golden enchasing of the columns of a temple.<sup>6</sup> The enormous taxes which were raised in the Macedonian kingdoms, the revelry and extravagant liberality of the kings, which passed all bounds, indicate the existence of an immense amount

<sup>1</sup> Strabo, XV. p. 731; Arrian, III. 3; Justin. XI. 14; Curtius, V. 2; Plutarch Alex. 36.

<sup>2</sup> Strabo, as above cited, and others.

<sup>3</sup> Concerning the debts of the soldiers, and Phocion, see Plutarch Alex. 70; Phoc. 18. The other statements have already been communicated by Rambach on Potter, Vol. III. p. 186, 187.

<sup>4</sup> Justin, XIII. 1, and the commentators.

<sup>5</sup> Diodor. XVII. 108; Lives of the Ten Orators, p. 264, in the Tübingen edition of Plutarch. Comp. Hyperides ag. Demosth. in the newly-found fragments.

<sup>6</sup> Polybius, X. 27.

of ready money. The presents which were made by the kings of this age to the Rhodians, about Olymp. 140 (B. C. 220), when their city and island were devastated by an earthquake, were almost unexampled.<sup>1</sup> A festival of Ptolemy Philadelphus cost not less than 2,239 talents fifty minas,<sup>2</sup> certainly not talents of copper. The expenditures of the Ptolemies for their naval force, and for other purposes, were extraordinary. Appian<sup>3</sup> reports, upon the authority of public documents, that the money, or treasure (*χορηγία*), of the second king in Egypt after Alexander, Ptolemy Philadelphus, in his treasuries, amounted to 740,000 Egyptian talents. This sum, as the amount of a treasure lying idle, is certainly incredible, even if we suppose the talents to have been small Ptolemaic talents, each equal to about half an Æginetan talent. But, if we suppose that the estimation was made in talents of copper, as Letronne does,<sup>4</sup> the amount would be, assuming the same relation of the worth of silver to that of copper which he does, that is, of one to sixty, only 12,333 $\frac{1}{3}$  Ptolemaic talents of silver. Philadelphus received annually from Egypt 14,800 talents, and a million and a half artibæ of grain.<sup>5</sup> Ptolemy Auletes, according to Cicero,<sup>6</sup> received 12,500 talents, although it was reported to Diodorus for the same time, (since he was at that time in Egypt,) that the king's revenue amounted to something over six thousand talents. Great as were the expenditures made by Philadelphus, it appears to me improbable that his treasure was scarcely equal to the income of a year; and, especially, if at the same time be added the gold and silver manufactured into vessels and articles of furniture;<sup>7</sup> although, according to the criterion of the present day, such a treasure would be quite considerable. It seems to

<sup>1</sup> Polyb. V. 88, 89.

<sup>2</sup> Athen. V. p. 203, B.

<sup>3</sup> Roman History, Preface, 10. It is evident, from the entire account of Appian, that by "the second king after Alexander," Philadelphus is intended, not Soter. Compare Schweighäuser's note.

<sup>4</sup> Récompense promise à qui découvrira, ou ramènera deux esclaves échappés d'Alexandrie, (Paris, 1833, 4,) p. 13.

<sup>5</sup> Hieronymus on Daniel, XI. 5. He says expressly de Egypto.

<sup>6</sup> In Strabo, XVII. p. 798.

<sup>7</sup> Diodor. XVII. p. 52. As others have already supposed, the accounts of Diodorus and Cicero may be consistent; and the one may mean larger, and the other smaller, talents. On the different Egyptian standards, see below.



me, therefore, hazardous to assume that the sum given by Appian expresses the value of Ptolemy's treasure in talents of copper, and I should prefer to give another explanation of it. If the annual revenue of Philadelphus was 14,800 talents, and five hundred talents as the value of the grain be added to this sum, and his whole annual income, therefore, be estimated at 15,300 talents, we have, as the whole amount received by him during his reign of thirty-three years, 581,400 talents. This was, however, only his revenue from Egypt. If it be estimated that he collected annually, on an average, something more than 4,170 talents from the other countries under his government, we arrive at the sum given by Appian, as the whole amount of the revenues of the reign of Philadelphus. Appian might have incorrectly regarded this as the amount of his treasure, just as the whole amount of the money for which Lycurgus accounted during his official administration, has been brought together. Besides, the Ptolemies entirely exhausted the countries over which they ruled; and the taxes and tributes were collected with the aid of an armed force, by the covetous farmers-general, not with the assistance of soldiers, one may say, but of bands of robbers. The revenues of Cœlesyria, Phœnicia, and Judæa, together with Samaria alone, were farmed by Ptolemy Euergetes for eight thousand talents. A Jew bought the privilege for twice that sum, and delivered, besides, into the royal treasury the net proceeds of the confiscated property of those who did not pay their dues.<sup>1</sup>

From what has been said above, it is evident that in the age of the Macedonian kingdoms, there was an abundant supply of the precious metals on the eastern coasts of the Mediterranean Sea. And had not so large a quantity been manufactured, and lain unemployed in treasuries, their value, compared with that of other commodities, must have fallen much lower than it actually did. The Roman universal sway brought, in part, the wealth of the eastern countries to Italy, while Greece became poor, and to the same place flowed the hoards of silver and gold in Western Europe. The rivers flowing with gold, and the gold mines of Italy, were neglected for those of Spain and Gaul.

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<sup>1</sup> Josephus, *Jew. Antiq.* XII. 4.



The Po, and all the rivers issuing from the Alps, produced gold. There were extensive gold mines among the Salassians, a people who inhabited the Alps. Near Aquileia there was found, at the depth of two feet, gold almost pure, in pieces of the size of a bean or lupine. Of this only the eighth part was in melting thrown off as dross. Less pure gold was also found at the same place; in considerable quantities, however: but, as Strabo relates from Polybius, only to the depth of fifteen feet. There were also in the adjacent districts, gold washings. In the reign of Nero, fifty pounds of gold were, for a period, daily obtained in the mines of Dalmatia. Gaul was rich in gold ores, a portion of which contained only a thirtieth part of silver; it contained also silver mines. The mountains and rivers of Spain, the Tagus, for example, contained large quantities of precious metal, and were used, before the Romans turned their attention to them, by the Carthaginians. Private persons gained, in productive times, in three days, an Euboic talent of silver. The smelting works for silver of New Carthage, which together with the mines, employed forty thousand men, produced for the Roman people daily twenty-five thousand denarii, or, as Polybius expresses himself, drachmas. Gallæcia, Lusitania, and particularly Asturia, frequently yielded an annual produce of twenty thousand pounds of gold.<sup>1</sup> But the value of the precious metals did not depreciate in proportion to their increase in quantity, since luxury in turn occasioned a diversion outwards, great quantities, manufactured into works of art, were thrown out of circulation; and for other reasons,

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<sup>1</sup> All that is said above, is found in Strabo, in the third, fourth, and fifth books; in Pliny, in the thirty-third book; and in Diodorus, in the fifth book, cap. 27, 36. He who wishes to acquire more particular information in reference to the places where the ores were found in ancient times, will obtain a not unsatisfactory account by the perusal of Reitemeier's Treatise upon the Mining of the Ancients; we wished to treat of the matter but slightly here. Respecting the Spanish mines, Bethe "*de Hispaniæ Antiquæ re Metallica, ad locum Strabonis, lib. III.*" deserves a perusal.

## CHAPTER IV.

## OF SILVER MONEY, PARTICULARLY OF THE SILVER TALENT.

COINED metal, or money, as well as that which is uncoined, is an article of merchandise, and was, of course, anciently used in traffic by the Greek bankers, just as it is at present. Apart from the arbitrary value which individual States can give, in relation to their own citizens, to a particular coin, its real worth is determined by its weight and purity. On this subject only so much shall be said in reference to the Greeks, and particularly to Athens, as appears necessary to the understanding of what follows in this work. Not only in Attica, but in almost all the Hellenic States, even in those which were not in Greece but were of Hellenic origin, money was reckoned by talents of sixty minas, the mina at a hundred drachmas, the drachma at six oboli. At Athens the obolus was divided into eight chalci,<sup>1</sup> (*χαλκοί*;) the chalcûs into seven lepta. Down to the half obolus, the Athenian money was, in general, coined only in silver; the dichalcon, or quarter obolus, in silver or copper; the chalcûs and the smaller pieces only in copper. On a single occasion, in the more ancient times, copper was coined instead of silver; proba-

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<sup>1</sup> Only through an error of the pen are six *χαλκοί* given also, as the value of an obolus, as I have already remarked in the "Metrologische Untersuchungen," p. 32 seq. Compare also p. 25, where the same error is cited from a metrological treatise of Galen. I take the opportunity to correct the error of the pen that occurs in the former work, p. 32, line 8, counting from the bottom of the page, and p. 33, line 7, "auf die Drachme," instead of "auf den Obolos." I have, moreover, in Gherard's *Archäol-Zeitung*, 1847, No. 3, more fully shown, in opposition to the opinion of Letronne, that such a division of the obolus into six *χαλκοί* never was made; and that also the reckoning-table found at Salanus (*Revue Archeol.* 3d year, 1846, p. 296) does not require us to ascribe to the Athenians any other division than that of eight *χαλκοί*. The arrangement of this reckoning-table has been subsequently explained by A. J. H. Vincent, in a letter to Letronne (*Revue Archeol.* No. 15, Sept. 1846), and I have found that what is said by him, serves directly to confirm our view. But of this I will not here give a detailed exposition.

bly oboli. These were not, however, long current.<sup>1</sup> When copper oboli are mentioned in later writers, as, for example, in Lucian,<sup>2</sup> they must not be considered ancient Athenian money. Among the larger silver coins, the tetradrachma are the largest, and the most common; and the Attic stater of silver is the same as the Attic tetradrachmon.<sup>3</sup> Money was commonly reckoned, however, not by these, but by drachmas, as among the Romans by sestertii. Where a sum stands without mention of the coin, drachmas are meant in Attic writers, and inscriptions.<sup>4</sup>

An accurate and generally valid determination of the value of the Attic silver money, is for many reasons impossible, particularly because it had not always the same weight and standard. According to the difference of weight and standard of different tetradrachma proposed, or to other suppositions, as, for example, that of certain relations of the Attic money to Roman money and weight, different values are obtained. Thus Eckhel,<sup>5</sup> to pass over others, took as his basis an evidently not very accurate valuation of the Augustan denarius, which he supposed to be of the value of eighteen heavy kreutzers. But this is related to the Attic drachma about as eight to nine. Thus he made out, reckoning very inaccurately the value of the drachma at twenty heavy kreutzers, the talent to be of the value of two thousand florins of the Convention-, or twenty-guilders-standard, equivalent to 1,333 $\frac{1}{3}$  Saxon thalers, or \$957.72.<sup>6</sup> Barthélemy, with the aid

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<sup>1</sup> See Book IV. 19.

<sup>2</sup> Charon, cap. 11.

<sup>3</sup> According to Heron, already cited by others, and to other metrologists. The same is clear from Hesych. on the phrase *γλαῦκες Λαυριωτικαί*, compared with the article on the word *γλαῦξ*, according to which, in Suidas on the word *στατήρ*, *τετράδραχμον* (instead of *τετράγωνον*) νόμισμα should have been written; also from Phot. on the word *στατήρ*, where the same correction is to be made, and from Lex. Seg. p. 253, on the word *επιτρίται* (compare Harpoer. on the same word), Lex. Seg. p. 307, on the word *τετράδραχμον*, etc. Compare Latronne, p. 90, of the *Consid. Gen.*, soon to be more particularly cited.

<sup>4</sup> So *διακόσται*, *χίλια*, *δισχίλια*, etc., in the Orators and elsewhere. See Taylor on the Sandwich Marbles, p. 29, 30.

<sup>5</sup> D. N. Vol. I. p. XLVI.; Vol. V. p. 18, 28; Vol. II. p. 208.

<sup>6</sup> In converting the denominations of the Saxon and Prussian currency, weights, and measures, to their equivalents in American and English denominations, the principal authorities consulted are the *Conversations-Lexicon*, eighth edition, and the *American Encyclopædia*, last edition.

In the latter work the value of the Convention or Saxon thaler of twenty-four groschen, in the money of the United States, is stated to be 71.82 cts.; and of the

of Tillet, the royal commissioner for proving and refining the coin, has made more accurate investigations.<sup>1</sup> He distinguishes the later from the earlier tetradrachma. He assumes for the latter, which he supposes to have been coined perhaps until the end of the Peloponnesian war, a weight of 328 Paris grains. In this assumption he is sustained by an investigation of twenty-eight pieces, among which those best preserved weighed 324 Paris grains; four grains are added for what they may have lost by use. This estimate of Berthélemy gives eighty-two grains to the drachma. The gold coins, also, to which a definite weight in drachmas is ascribed by the ancients, agree with this estimate.<sup>2</sup> One of these tetradrachma was put to the test, and the silver was found almost entirely pure, since it contained only  $\frac{1}{2}$  alloy; for the Athenian coin was always extremely pure, while many States mingled with theirs lead or copper. For this reason the Attic money was preëminently prized, and everywhere exchanged to advantage.<sup>3</sup> Barthélemy reckons, accordingly, that the talent, with the addition of the seigniorage,

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Prussian thaler of thirty silver groschen of 1823, to be 68.4 cts. The former is a nominal or imaginary coin for the purpose of reckoning and comparison with other German currencies. In Thompson's Coin-Chart Manual, printed in New York City in 1855-6, the value of the Prussian thaler is stated to be, according to the dates of the coinage, from 65 to 67 cents, the value of pure silver at the mint in Philadelphia to be 0.26936 per grain, and the quantity of pure silver in the Prussian thaler to be 10 dwts. 17.2 grs. According to the last two statements, the value of the pure silver in the Prussian thaler at the mint in Philadelphia is 69.2+ cts. As the value of foreign coins in exchange, from political causes and commercial vicissitudes, fluctuates, I have preferred for the value of the Prussian thaler the statement of the American Encyclopædia, namely, 68.4 cts., because that, although not a purely scientific, yet is an accurate, reliable, and standard work, that value is nearer the worth of the pure silver contained in the Prussian thaler; and as compared with the value ascribed in the same work to the Convention or Saxon thaler, namely, 71.82 cts., gives the requisite relation between the two currencies of 20:21; and in converting from the Prussian to the American currency, it gives for the inferior denominations even sums. But as I have in all cases retained in the text the Saxon and Prussian denominations, those who prefer a different value for the Saxon and Prussian thaler, can make, at every recurrence of the same, or their parts, their own calculations.—(Tr.)

<sup>1</sup> Anacharsis, Vol. VII. table XIV.

<sup>2</sup> Compare Chap. 5 of the present Book.

<sup>3</sup> Xenophon concerning the Public Revenues, 3. Compare Aristoph. Frogs, 730-736; Polyb. XXII. 15, 8, and also XXII. 26, 19, where the addition of the word *ἀρίστου* shows it is true, that it was acknowledged that even the Attic money had different degrees of purity. There are also found coins of other States which are purer than Attic money. (Hussey's Essay on the Ancient Weights and Money, p. 47.)



which was at that time customary, was equivalent to 5,775 Liv., or reckoning  $53\frac{1}{10}$  Liv. to the fine mark of Cologne, 1,445 thr. 7 gr.  $11\frac{5}{13}\frac{5}{11}$  pf. Convention-money,<sup>1</sup> and the drachma, therefore, to 5 gr. 9.376 pf.<sup>2</sup> Barthélemy presents also higher values of the talent according to greater weights of the tetradrachma. He weighed, moreover, 160 tetradrachma, which he obtained partly at Paris, partly from other places. He assumes from these, without, however, accurately reckoning the average, the weight of the tetradrachmon in the next century after Pericles, to have been 316 grains; and after investigating the standard of a tetradrachmon, he allows an addition of  $\frac{1}{24}$  to the silver, although another one had an additional amount of more than  $\frac{1}{16}$ . On these data he reckons the drachma, omitting a small fraction to be equivalent to eighteen sous, and the talent to 5,400 liv., nearly  $1,351\frac{1}{2}$  thalers Convention-money.<sup>3</sup> Letronne<sup>4</sup> has, from the examination of more than five hundred Attic coins, established the weights, 328, 164, 82, 41 Par. gran., and others corresponding to the division of Attic money, which relatively agree with the above. This is the weight of the older tetradrachma, double-drachmas, drachmas, and half-drachmas respectively. The tetradrachma probably of the third, perhaps also of the fourth, century before the Christian era, seldom rise, according to the investigations of the same author, above 304–308 grains; which gives for the drachma 76–77 grains. He assumes for the older drachma, therefore, without allowing any thing for the loss of weight by use, a weight of 82 grains. Almost the same result is derived from the consideration of the Roman pound. This was estimated by Savot to be equal to 6,048 Paris grains, to which opinion Romé de l'Isle has again returned. With this Ideler's estimation of the Roman foot also agrees.<sup>5</sup> The con-

<sup>1</sup> Equivalent to about \$1,038.2.—(Tr.)

<sup>2</sup> Equivalent to about 17 cts.—(Tr.)

<sup>3</sup> Equivalent to about \$970.64; 18 sous to about 13.8 cts.—(Tr.)

<sup>4</sup> *Considérations Générales sur l'évaluation des Monnaies Grecques et Romaines*, (Paris, 1847. 4.) p. 89 sqq. This excellent work is in opposition to the *Treatise of the Count Germain Garnier sur la valeur des monnaies de compte chez les peuples de l'antiquité*, (Paris, 1817); according to the strange assertions of whom, the worth of the drachma and of the denarius of account is thirty-five centimes.

<sup>5</sup> *Abhh. der Philol. Hist. Klasse der Berl. Akad. der Wiss. vom J., 1812 und 1813*, p.154, 162.



nection of measures of length and of solids with the principles of specific gravity was, it is true, certainly known to the Romans. I believe that my supposition<sup>1</sup> that it is derived from a tradition which came to the Greeks from the East, to the Romans from the Greeks, is not without foundation. For it may be shown that the attention of the Greeks was turned to the subject of specific gravity in the time of Hippocrates, and even earlier.<sup>2</sup> Nevertheless, I believe that I have shown in my "Metrologische Untersuchungen" (Metrological Investigations) that there was not a complete agreement of the Roman foot, as a measure of length, with the Roman weight; and that the pound is not determinable by the foot as a measure of length. De la Nauze estimates the Roman pound as equivalent to 6,144 grains. Letronne<sup>3</sup> has estimated the Roman pound from gold coins, the weight of which is determined in scruples, to be equivalent to 6,154, or in round numbers, 6,160 grains. I have, in my Metrological Investigations, decided for 6,165 grains, since I reckoned differently the average of the pieces weighed by him. It is not to be concealed that other investigations, based also upon the weight of coins, give different results. From the examination of 1,350 silver coins, Letronne himself<sup>4</sup> found a pound to be equivalent to only 6,136.8 grains; and 602 well preserved denarii, which were selected from more than two thousand found at Fiesole, in the year 1829, gave for the pound a little over 6,140 grains. In accordance with this result, Dureau de la Malle<sup>5</sup> has returned to the earlier estimation of the Roman pound at 6,144 grains. The determination of the matter, however, by means of the gold coins, deserves, at all events, the preference; and I believe that the censure which has been cast upon the investigation of Letronne,<sup>6</sup> because in it many lighter gold coins were not taken into account, is not entirely well founded. For, because of the natural propensity to make

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<sup>1</sup> Metrol. Unters. p. 26.

<sup>2</sup> See my little "Abhandlung über die Kenntnisse der Alten von der verschiedenen Schwere des Wassers, Monatsberichte der Akad. v. J., 1839," p. 173 sqq.

<sup>3</sup> *Ut sup.* p. 3 sqq.

<sup>4</sup> P. 44.

<sup>5</sup> Sur le Système métrique des Romains, Mem. de l'Acad. des Inscr. Vol. XII (1836). See, in the same, p. 293, on the coins found at Fiesole.

<sup>6</sup> Dureau de la Malle, as above, p. 290.

the weight of coins too light, it seems that very light pieces ought not to be taken into account in such investigations. I consider it, therefore, to be safest to estimate the Roman pound as equivalent to 6,165 Paris grains. Now, the Roman Senate, in the treaty of peace with Antiochus, directed, that the talent of Attic money in the payments of the king to Rome, should not be estimated at less than eighty Roman pounds.<sup>1</sup> Since in accordance with this, the Attic mina is related to the Roman pound as four to three, which is also confirmed by the fact that sixteen Roman ounces are assigned to the Attic mina; the pound weight, therefore, of 6,165 grains, gives for the mina 8,220 grains; for the drachma, 82.2 grains; for the tetradrachmon, 328.8 grains; for the talent, 493,200 Par. grains, or 56.007 Prussian pounds, or 57.753298 English pounds Avoirdupois, or 70.175 Eng. lbs. Troy; for the mina,  $\frac{1}{3}$  of a Prussian pound, or nearly .96 of an Eng. lb. Avoir., or 1.16 Eng. lbs. Troy.<sup>2</sup> Prokesch of Osten has very lately undertaken new weighings of Attic coins, and has found for the tetradrachmon a weight as high as 329 grains, and, in general, for the oldest coins of the standard of Solon, weights which determined him to acknowledge the correctness of my decision.<sup>3</sup> What is said above, however, is valid only in reference to the original standard of full weight, according to which, the Roman pound was equivalent to seventy-five Attic drachmas. Upon this, according to the remark of Letronne, was founded the designation of the Roman senate in the above-mentioned treaty of peace. The weight was diminished in later times, so that drachmas and denarii even came to be considered equivalent. The Roman pound contained, according to the testimony of the ancients, eighty-four of the older denarii; later, after the gradual reduction in the weight of coins, and, indeed, about the time of Nero, ninety-six denarii.<sup>4</sup> With this, also, the coins that have been weighed agree. Since, now, in the age in which the Romans came into closer contact with Greece, the coined Attic drachmas of seventy-six to seventy-seven Paris grains, were but little larger

<sup>1</sup> Livius, XXXVIII. 38; Polyb. XXII. 26.

<sup>2</sup> The Prussian pound here meant is equivalent to 1.031180 Eng. lbs. Avoir., and 144 Eng. lbs. Avoir. are very nearly equal to 175 Eng. lbs. Troy.

<sup>3</sup> I read the account of these investigations which belongs to the writings of the Berlin Academy, in the manuscript, since at the time of composing the above it had not yet been printed.

<sup>4</sup> Eckhel D. N., Vol. V. p. 6; Letronne *ut sup.* p. 35 sqq.

than the old denarii of seventy-three to seventy-four grains,<sup>1</sup> — of which, eighty-four were coined to the pound, — denarius and drachma were wont to be considered equivalent, and the one word to be translated by the other. This practice continued in the succeeding ages.

Wurm<sup>2</sup> gives, upon the basis of the investigations of Letronne, a reduction of Attic money to the twenty-guilders-standard. The mark of Cologne contains 4,403.1 Par. gr.; twenty guilders contain a *feine* mark of silver. Wurm assumes the standard of the Attic silver money to be, in the average, 0.97 of pure metal; and the weight of the old drachmas to be 82½ gr. The value of a drachma, therefore, is, in convention-money, 5 groschen, 9.4887 pfennings, or about 17.322175 cts., and that of the old talent, 1,447 thalers, 16.356 groschen, or about \$1,039.71. The weight of the later drachmas he estimates to be 77½ gr.; according to which, the drachma would be equivalent to 5 groschen, 5.25896 pfennings, Saxon money, or about 16.27395 cts.; and 6,000 drachmas to 1,359 thalers, 13.476 groschen, or about \$976.43.60393 cts. These six thousand drachmas, since the talent and the mina had probably the same weight as in earlier times, were, it is true, lighter than a talent, but in payment must have been considered a talent, when not otherwise expressly designated. The quantity of alloy in different kinds of ancient money is very unequal,<sup>3</sup> since it was not designedly but accidentally used, because they did not understand how to refine silver; and, on the other hand, some gold, without the knowledge of the ancients, was contained in some Attic silver coins. Yet we may so far acquiesce in Wurm's valuation of the more ancient money, as to make it necessary to add but a very little for the small amount by which we give the Attic drachma a higher valuation, and to consider the ancient talent to be equivalent to 1,449 thalers, convention-money. But even thus all doubt does not disappear for our work, in the consideration of the question how high the Attic money is to be estimated. For, although the most of the facts which we cite, relate to those

<sup>1</sup> Compare Letronne *ut sup.* p. 99.

<sup>2</sup> De ponderum, nummorum, mensurarum ac de anni ordinarii rationibus ap. Rom. et. Gr. p. 55 sqq.

<sup>3</sup> See, beside Barthélemy, Hussey *ut sup.* p. 45.

periods in which the drachma was still of full weight, yet we come down sometimes to the fourth, and to the third century before the Christian era, when the drachma had less intrinsic worth. It is necessary, then, to assume a value, which, when it is reduced to one of the most current standards of German coin, may not, in reference to the drachma, as well as to the talent, give fractions of too great inconvenience. Finally, in these valuations, the seigniorage is included in the value of the money to which the Attic money is reduced. Whether, however, the Athenians put a seigniorage upon the value of silver money, is very uncertain. Niebuhr<sup>1</sup> denies this, in general, in reference to all ancient money, erroneously, however, in regard to copper money. If now the Athenians, in the coining of silver, knew nothing of seigniorage, it cannot be reckoned in the value of the money with which the Attic money is compared, since the latter had only the value of the material. How much, however, is to be subtracted for the seigniorage in reference to the money of the present day, is difficult to determine, since it is different in different states, and at different periods, and the value of the uncoined silver is also subject to fluctuations. According to Tillet's statement in Barthélemy, the relation of the value of the mark of the legally alloyed silver money, which consisted of 8 thaler-pieces of 6 liv., and of pieces of 12 sous, (not of the coined *feine mark* of silver as some have supposed,)<sup>2</sup> to the value of the uncoined mark of like quality, was, at that time in France, as 37 to 36. If this measure of the seigniorage be applied to the assumed value of the more ancient talent, 1,449 thalers convention-money, something more than thirty-nine thalers must be subtracted, and there remain about 1,410 thalers, equivalent to about \$1,012.66.2. If it is desired, from this valuation, to assume a sum which, according to the division into thalers, groschen, and pfennings, in the twenty-guilders-standard, may give convenient numbers for the values of the drachma and of the talent; the valuation of the talent at 1,375 thalers, and of the drachma at 5 groschen, 6 pfennings, would be the best. And this valuation is the more preferable, inasmuch as the same,

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<sup>1</sup> Roman History, Vol. I. p. 516, 3d ed. in German.

<sup>2</sup> Wurm, *ut supra*, p. 31.



when the value of the later six thousand drachmas, with like allowance for the seigniorage, is reduced from 1,359 thalers to 1,322 thalers, lies in the middle between the two values, and yet is nearer the greater, which is deserving of more regard than the smaller. The seigniorage may be, moreover, less than the amount alleged by Tillet; and if the uncoined silver rises in price, it may, since the standard is fixed, become very small, or entirely disappear. When  $13\frac{2}{3}$  thlr. are paid in Prussia for the mark of pure silver, from which 14 thlr. are coined, as it sometimes happens, there remains at this price, after subtracting the value of the copper used in the alloy, a seigniorage of only  $\frac{2}{3}$  R for the currency; if, as is likewise sometimes the case, silver brings a higher price, the seigniorage is lessened, or entirely disappears. If, now, a small seigniorage, and also the value of the copper of the alloy, (which, however, may, for convenience, be entirely left out of the account,) be subtracted from the value of the money with which the Attic money is compared, the Prussian currency gives an accurate and convenient medium of comparison with the ancient Attic silver money. According to the relation of the convention-money to the Prussian currency, 21:20, which is founded upon the intrinsic value of the silver contained in each, 1,449 Saxon thalers are equivalent to  $1,521\frac{9}{10}$  thalers in the Prussian currency, or \$1,040.67.18. In the value of the Prussian money, however, is included the seigniorage, and the value of the copper of the alloy. The latter costs, at 30 thlr. a hundred weight, with sufficient accuracy, 5 thlr. Deducting this value of the copper, and a seigniorage of about 1 per cent.,  $21\frac{9}{10}$  thlr. may for both be subtracted from the value of the more ancient Attic talent in Prussian money. Thus the value of the more ancient Attic silver talent, silver value reckoned for silver value, will be 1,500 thlr. Prussian currency; of the mina, 25 thaler; of the drachma, 6 gute groschen; of the obolus, 1 g. gr., — equivalent to \$1,026, \$17.10, 71.1 cts., 2.85 cts. respectively. Since now, for our consideration, the more ancient Attic money is more particularly brought into view, and in this the proper normal standard was expressed, I will follow this method of reckoning. I will add, however, the remark that Prokesch considers the Attic coins of reduced standard to be older than is generally supposed. The Roman denarius of the



Republic may be in round numbers reckoned at  $\frac{2}{3}$  of the Attic drachma of full weight.

Before the time of Solon, the Attic money was heavier; also the commercial weight was heavier than that by which money was weighed. 100 new drachmas were equivalent to 72-73 ancient drachmas; but the ancient weight remained with very little alteration as commercial weight, to which, in later times, an increase was also added. Through the alterations of Solon, the Attic money, which before stood to the Æginetan in the relation of 5:6, had to the same the relation of 3:5.<sup>1</sup> The new was related to the ancient Attic money as 18:25. Compared with the heavy Æginetan drachma (*δραχμὴ παχεῖα*), the Attic was called the light drachma (*δραχμὴ λεπτή*). The former was equivalent to ten Attic oboli; so that the Æginetan talent weighed more than ten thousand Attic drachmas.<sup>2</sup> It was equal to the Babylonian talent. Nevertheless the Æginetan money was soon coined so light, that it was related to the Attic nearly as 3:2; and the standard of full weight was maintained only in other states, as, for example, in the silver money of the Macedonians before the time of Alexander the Great. The Æginetan silver stater, and all the staters of this standard, were didrachma. The Corinthian talent is to be estimated as originally equivalent to the Æginetan,<sup>3</sup> but it was also in later times diminished. The Corinthians had staters of ten Æginetan oboli in weight.<sup>4</sup> The Sicilian dekalitron is to be estimated as equivalent to the Corinthian stater. For the litra of the Sicilians, coined in silver, is designated by Aristotle, in his treatise on the Political Constitution of the Himeræans, as of the value of an obolus; and in his treatise on the Political Constitution of the Agrigentines, more definitely, as of the value of an Æginetan obolus.<sup>5</sup> The litra itself was, originally, an Italian and Sicilian coin; the talent contained 120 litras, and the litra, therefore, was a half

<sup>1</sup> See Inscription, XIX. § 4, in the Beilagen (Supplements) to Vol. II. of Böckh's *Staatshaushaltung der Athener*.

<sup>2</sup> Pollux, IX. 76, 86, and the commentators on the same. Compare Hesych. on the words *λεπτὰς* and *παχέῃς δραχμῇ*.

<sup>3</sup> Gellius, N. A. I. 8, whether the words *ἡ τάλαντον* there found be genuine or interpolated; in the last case they are a learned explanation.

<sup>4</sup> Pollux, IV. 175; IX. 81.

<sup>5</sup> Pollux, IV. 174, 175; IX. 80, 81. Compare Salmasius de M. U. VI. p. 242.

mina.<sup>1</sup> Money was reckoned according to litras of copper; and the equivalent of the copper litra of full weight was the Æginetan obolus of silver, or the silver litra ( $1\frac{2}{3}$  ob. Att.). This litra afterwards depreciated to the value of  $1\frac{1}{2}$  Attic oboli, which, according to Aristotle,<sup>2</sup> was the value of the Sicilian nummus. The Sicilian talents and litras of copper of full weight were, however, like the Roman pound of money, reduced, and indeed probably to two ounces, and one ounce, whereby, at the same time, the value of copper was altered. Hence arose the small Sicilian talents, the ancient and the more modern; the former of the value of twenty four nummi, the latter of the actual value of twelve nummi.<sup>3</sup> This latter, however, merely as a coin of that country (*ρομισμα ἐπιχώριον*), had, in retail traffic, the arbitrary worth of twice its real value, notwithstanding its real worth was only twelve nummi, or three drachmas, which Festus designates by three denarii. Such small reduced talents and litras of copper are those according to which money is reckoned in the inscriptions of Tauromenium. In other respects the nummus presented a perfect medium of comparison with the Attic money, the standard of which had, even soon after its establishment, been widely spread, and had been introduced into Sicily.

The Euboic talent is very often mentioned in ancient writers. Without taking Asia into consideration, where, in my opinion, its origin is to be sought,<sup>4</sup> it seems to have come into use in the Italian colonies of Græcia Magna, particularly through the dispersion of the Chalcidians. It is, therefore, mentioned in the treaties of the Romans with other States, and also in Herodotus, who, as is well known, first composed or altered some parts of his history after his emigration to Thurii. But yet the Euboic

<sup>1</sup> Metrol. Unters. Abschn. XVIII.; and in addition to this, supplements in the Preface to the Catalogue of Lectures of the University of Berlin, for the winter 1843-1844. To this perhaps the sentence from Isodore in the *Gromatici Veteres* ed. Lachmann, p. 374, has reference also, namely, "CXX libræ maximum talentum est."

<sup>2</sup> In Pollux, IX. 87.

<sup>3</sup> Aristotle in Pollux, IX. 87. Compare Suidas on the word *τάλαντον*, Schol. Greg. Naz. in Jungermann on Poll. and others. The subject is more amply discussed in Metrol. Unters. Abschn. XXI. and XXV.

<sup>4</sup> See Metrol. Unters. Abschn. VIII. 1. Respecting the extensive use of the Euboic weight, to what is adduced from other quarters, is to be added the mention of the Euboic mina in relation to the weight of meat at Priene. Corp. Inscr. Gr. No. 2,906.

weight was also certainly known to him already from Greece proper and from Asia. It is also desirable, in relation to many statements of which we must make use, to know what was the value of the Egyptian and Alexandrian talent. But we meet here with contradictory statements. They can be reconciled only by the supposition of entirely different systems of weight. The Egyptian talent, to speak first of this, contained, according to Varro in Pliny, eighty Roman pounds,<sup>1</sup> and cannot, therefore, have been essentially different from the Attic talent, since the Attic mina is related to the Roman pound as 4:3. With these the ancient metrological designation, that the Egyptian, like the Attic mina, contained sixteen ounces,<sup>2</sup> precisely agrees. On the contrary, the Ptolemaic silver coins, and to a certain degree the gold coins also, indicate the Æginetan-Macedonian standard. It appears, however, that this Æginetan-Macedonian talent was halved, and the half thereof called a talent. The often-mentioned Alexandrian drachmas (*Ἀλεξάνδρεια*) appear to have been such half Æginetan drachmas.<sup>3</sup> Indeed, the so-called Ptolemaic talent of Heron contained only  $62\frac{1}{2}$  Roman pounds, still less, therefore, than the half Æginetan talent. It is in respect to weight the same as the later so-called Attic talent of the times of the Roman emperors, or the talent of six thousand

<sup>1</sup> Plin. N. H. XXXIII. 15.

<sup>2</sup> Metrol. Unters. p. 144.

<sup>3</sup> The same, p. 147 sqq. To the inscriptions cited in it (p. 148) are to be added Nos. 3,521 and 3,599. I have shown, in the Metrological Investigations, that the halving above mentioned of the larger denominations of money, happened also with respect to the Tyrian money and to that of Antioch, and, not so certainly, however, to the Rhodian money, and to that, the coins of which were called cistophoroi (*κιστοφόροι*). But the expression *ἀργυρίου ῥοδίου λεπτοῦ* in the inscriptions of Mylasa C. I. Gr. No. 2,693, e. and f. decides for two kinds of Rhodian money. This light Rhodian money seems to have been continually still more reduced. It is shown, in the Metrological Investigations, p. 101, that the drachma was reduced in weight below forty English grains. According to an inscription of Cilyra, more recently discovered, however, (see Sprat and Forbes's Travels in Lycia, Milyas, and the Cilyratis, Vol. II. p. 287,) the Rhodian drachma in Cilyra, in the reign of Vespasian, was worth only five eighths of the Roman denarius, which at that time weighed only sixty-four Par. gr. So that, supposing the silver to be of equal purity, the Rhodian drachma weighed only forty Par. gr. In an inscription of Tenos, C. I. Gr. No. 2,334, it is represented as an exorbitant rate of exchange, that 105 of the drachmas current at Tenos were demanded for one hundred Rhodian drachmas. The former I heretofore supposed to have been Attic drachmas. This, according to my later investigations respecting the Rhodian money, is not allowable.

Roman drachmas of account, of which ninety-six are equivalent to the Roman pound. The Egyptian talent mentioned by Pollux,<sup>1</sup> is identical with the Ptolemaic talent of Heron. This, although divided in the same manner as the Attic, and all other Hellenic talents, was worth only 1,500 Attic drachmas of silver. The Ptolemaic talent of Heron was indeed of the same weight as the so-called Attic talent of the times of the Roman emperors, but had, as Heron expressly remarks, only the fourth part of its value, since it was not a talent of silver, but of brass. The later denarii are to be understood by the Attic drachmas here mentioned by Pollux, which I call Roman drachmas of account. The brass drachma of this talent was, in common life, considered as equivalent to the Attic obolus. If this be understood of the obolus of Solon of full weight, this valuation would be very little different from that of Pollux and Heron. But when Heron estimates the Ptolemaic mina as equivalent to the fifth part of the Æginetan, this is inconsistent with the former valuation.<sup>2</sup> Furthermore, there was an Alexandrian talent which was of double the weight of the talent just mentioned, namely, 125 Roman pounds. This is the talent which, according to Festus,<sup>3</sup> was equivalent to twelve thousand denarii. Beside this, there was in Alexandria a so-called wood talent, which Heron estimates in relation to the Attic as six to five. He meant here by the Attic the later talent of six thousand Roman drachmas of account. But I believe that he was mistaken in this, and that that relation had reference to the talent of Solon of full weight, since many reasons may be alleged for the opinion that in the times of the Roman emperors a talent was in use in Alexandria, which was related to that of Solon as six to five. This seems to have been the talent, according to which Appian estimates the Euboic talent as equivalent to seven thousand Alexandrian drachmas.<sup>4</sup> This brings us to the valuation of the Euboic talent. Herodotus<sup>5</sup> estimates, if the read-

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<sup>1</sup> IX. 86.

<sup>2</sup> See, in respect to this, Metrol. Unters. p. 80.

<sup>3</sup> On the word "talentum," where, instead of XII. read XIIIm.

<sup>4</sup> Appian, Sicil. Hist. II. 2. I have, in the "Metrol. Unters. Abschn. X.," fully examined all the Egyptian talents, and the more particular proofs of what is here said will there be found.

<sup>5</sup> III. 89.



ing is correct, the Babylonian talent as equivalent to seventy Euboic minas. Pollux<sup>1</sup> estimates it as equivalent to seven thousand Attic drachmas. Here the Euboic and the Attic talent are assumed to be equal. According to Ælian,<sup>2</sup> on the contrary, the Babylonian talent contained seventy-two Attic minas, a statement which is evidently to be preferred to that of the round number of seventy minas. It is certain from this that the Euboic and the Attic talent were considered equivalent, or nearly so. But by this Attic talent the money-talent of Solon cannot be understood, although Pollux and Ælian, incorrectly understanding their authorities, may have been of that opinion. For the coins show that the Euboic weight was heavier than the Attic money-weight established by Solon. Now, we know that there was an Attic money-weight before the time of Solon, which at a later period continued in use as commercial weight. This was related to that of Solon as twenty-five to eighteen. This alone can be that weight according to which seventy-two minas were equivalent to a Babylonian talent, or what is the same, an Æginetan talent. The Euboic talent is related, therefore, to the Æginetan as five to six, and is no other than the money-talent of the Athenians in use before the time of Solon, and which continued in use as commercial weight.<sup>3</sup> According to the most accurate valuation, therefore, one hundred Euboic drachmas are equivalent to  $138\frac{2}{3}$  drachmas of Solon. With this very nearly agrees Appian's statement, that the Euboic talent was equivalent to seven thousand Alexandrian drachmas, if he estimated according to the Alexandrian talent, which was related to that of Solon as six to five. For this Alexandrian talent had, in this case, the relation to that of Solon of 120 to 100, and to the Euboic of  $6 \text{ to } 7 = 120 \text{ to } 140$ ; so that the talent of Solon was related to the Euboic talent as 100 to 140, which is very near to that above mentioned of 100 to  $138\frac{2}{3}$ . The small difference which remains has, doubtless, its foundation in the fact, that Appian has given the relation of the Alexandrian to the Euboic talent in round numbers as  $6 \text{ to } 7 = 120 \text{ to } 140$ ; but it was rather more accurately as 120 to  $138\frac{2}{3}$ .

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<sup>1</sup> IX. 86.

<sup>2</sup> V. II. I. 22.

<sup>3</sup> Compare Metrol. Unters. Abschn. VIII. IX. and V.



This representation of the matter makes it superfluous to examine the very corrupt passage of Festus<sup>1</sup> respecting the Euboic talent.

## CHAPTER V.

### OF THE GOLD COINS AND THE GOLD TALENT.

THE value of gold is more fluctuating than that of silver. The latter, therefore, may be considered the scale for determining the price of gold, as well as of other commodities.<sup>2</sup> In European Hellas, there were many gold coins, particularly foreign gold coins, in circulation. Of these I will cite the most important. Gold, as also probably silver, was first coined in Lydia.<sup>3</sup> Cræsus caused the golden stater named from him to be struck at a time when Hellas was extremely poor in gold. If Polycrates of Samos, as late as the sixtieth Olympiad (B. C. 540), really deceived the Spartans with false gold coins, (which, however, according to Herodotus, was indeed a mere report,)<sup>4</sup> the Greeks could at that time have seen but little coined gold, since the Spartans themselves could not otherwise have been so grossly deceived. Soon after, Darius, the son of Hystaspes, caused gold

<sup>1</sup> Euboicum talentum nummo Græco septem milium et quingentorum cistophorum est, nostro quattuor milium denariorum. Both assertions are absurd. As regards the cistophori, which, on an average, weigh about 240 Par. gr. each, I have shown in the *Metrol. Unters.* p. 100 seq. how the talent of cistophori (1,500 cistophori) may possibly have been erroneously estimated at 4,500 denarii, as is done by Festus in another passage. But 7,500 cistophori never could have been required to make an equivalent to the Euboic talent. In conclusion, I remark that the assertion of the etymologist in reference to *Ευβοικὸν νόμισμα*, that it was thus named from a place in Argos, where Pheidon first coined gold, is an idle tale. For Pheidon could hardly have coined gold in that early age in which he lived, and the Euboic standard was too widely diffused to have received its name from that place; and if Pheidon were the author of it, the Æginetan standard could not have differed from it.

<sup>2</sup> This thought lies clearly enough at the foundation in Xenophon's encomium upon silver. *Xen. de Vectig.* 4.

<sup>3</sup> Herodot. I. 94.

<sup>4</sup> Herodot. III. 56.

coins to be struck, although he was not the first who caused them to be coined in the kingdom of Persia. He caused the daries to be coined of the finest gold.<sup>1</sup> These came into circulation among the Hellenes, and also into the treasuries of Athens and of other Hellenic States.<sup>2</sup> Their weight, which Philip of Macedonia, Alexander, and Lysimachus, and other princes and States retained in their gold coins, was, both according to the testimony of the writers who estimate them as equivalent to the so-called chrysûs of the Athenians, as well as according to the weighings of pieces still extant, about two Attic drachmas.<sup>3</sup> Hence they are estimated by the grammarians as equivalent to twenty drachmas of silver. And in the payment of the troops, for example, in Asia Minor, five were reckoned for a mina, three hundred for a talent,<sup>4</sup> according to the relation of gold to silver as ten to one. Reliable authorities testify, that also in Athens by the term gold stater, or chrysûs, a piece of two drachmas' weight, and of the value of twenty silver drachmas, was understood.<sup>5</sup> According to this valuation in the account in Lysias of the property of Conon, five thousand staters are estimated to be equivalent to one hundred thousand drachmas.<sup>6</sup> Pollux<sup>7</sup> mentions the Attic chrysûs in a valuation of a little talent of gold. Eckhel, however, because no reliable

<sup>1</sup> Herodot. IV. 166. There were, moreover, also silver daries; Plutarch Cimon, 10. Some of them have also been preserved to our times; but their weight is entirely different from that of the golden daries, and rather in accordance with the Babylonian standard.

<sup>2</sup> Böckh's Staatsh. der Athen. Vol. II. Inscr. XI. 2; and respecting Lebadeia, and the treasure of Trephonius in that place, see C. I. Gr. No. 1571.

<sup>3</sup> Harpocr. on the word *Δαρεῖκος*, and Suidas from the same, Schol. Aristoph. Eccles. 598; Lex. Seg. p. 237. Compare Barthélemy Mem. de l'Acad. d'Inscr. Vol. XLVII. p. 201, 202; Eckhel. D. N. Vol. I. p. 41.

<sup>4</sup> Harpocr. Suid. Schol. Aristoph. and Lex. Seg. *ut sup.*; Xen. Anab. I. 7, 18.

<sup>5</sup> Polemarch in Hesych. and Harpocr. as above. Compare Pollux, IV. 173. Zonaras Ann. p. 540 B., says, in more general terms, on the authority of Dio Cassius, that among the Hellenes the gold piece was worth twenty drachmas.

<sup>6</sup> Lysias for the Prop. of Aristoph. p. 639; Reisk. The capital of Conon amounted, according to this passage, to about forty talents; but it consisted of five thousand staters and of three other sums, namely, ten thousand drachmas, three talents, and seventeen talents. If the five thousand staters be estimated to be equivalent to one hundred thousand drachmas, the whole sum amounts to thirty-eight and one third talents, which is entirely consistent with the expression "about forty talents."

<sup>7</sup> IX. 53.

Attic gold stater was in his time extant,<sup>1</sup> doubted whether there was any ever coined.<sup>2</sup> But although the gold staters mentioned by Eupolis,<sup>3</sup> may not have been actually Attic money, we know, however, with certainty, that Athens coined gold, for example, in the Archonship of Antigones, one year before the representation of Aristophanes' *Frogs*, Olymp. 93. 2 (B. C. 407), from golden images of the Goddess of Victory, which Aristophanes, probably because they were largely alloyed with copper, calls bad copper-pieces.<sup>4</sup> The same comic author opposes the new money (*ναὐρὸν χρυσίον*) to the old (*ἀρχαῖον νόμισμα*), by which silver money is evidently meant. Gold must, therefore, have been seldom, and cannot have been early coined in Athens. Beside this passage of Aristophanes, there is none from which it may with certainty be deduced that gold staters were coined in Athens. For if the value of the chrysûs among the Athenians is sometimes the subject of discourse, it follows not that Attic coins are meant. Pericles also speaks in Thucydides<sup>5</sup> only of coined silver, and not of coined gold, in the treasury. If Athens had many gold coins of its own, it would have had some in the treasury also. But again the oration of Pericles is, to be sure, not complete evidence to the purpose, since it cannot be denied that coined gold was in the treasury, if not Attic gold. On the other hand it seems not to be established that there are no Attic gold coins at all still extant, and that those which are here and there shown are counterfeit. Some staters, which have completely the character of genuineness, are to be found in the British Museum, one in the Hunter collection,<sup>6</sup> with the head of

<sup>1</sup> See Barthélemy *ut sup.* p. 206.

<sup>2</sup> D. N. Vol. I. p. 41, sqq.; Vol. II. p. 206, 207.

<sup>3</sup> Pollux, IX. 58.

<sup>4</sup> Aristoph. *Frogs*, 732, and the Schol. from Hellanicus and Philocorus. Compare Suidas on the word *χαλκίον*. See also Book IV. 19, of the present work. Schol. Aristoph. *Knights*, 1091, and Suidas on the phrase *γλαῦξ ἵπταται*, assert, that the Attic gold coin had the impression of the owl upon it. Well, to be sure! what other impression could be expected? But the passages can prove nothing, since in the same, as in Hesych. on the word *Λαύρεια*, the mines of Laurion are considered gold mines, and consequently the so-called owls of Laurion gold coins, although they are silver coins. Compare my "Abhandlung über die Laurischen Silberbergwerke" in the "Denkschriften der Berliner Akademie d. Wiss. J. 1815."

<sup>5</sup> Thucyd. II. 13.

<sup>6</sup> Hussey's Essay on the Ancient Weights and Money, p. 90 sqq.

Minerva and the owl. Two others in the collection of Thomas Thomas, Esq., appear also to be genuine.<sup>1</sup> Mr. Von Prokesch thinks that some which he saw at Athens may likewise be allowed. Those mentioned by Rangabé<sup>2</sup> are doubtful. A small piece in the British Museum is a piece of two oboli, or the sixth part of a stater.<sup>3</sup> All genuine pieces, however, appear to be not older than the time of Alexander the Great.

The most common gold staters, beside those of Cræsus and the Persian staters, are those of Phocæa, Lampsacus, and Cyzicus. The first and last were formerly erroneously considered to be imaginary coins, because it was believed that there were none any longer extant. But even in that case it could not be denied that they had existed, since they might have been early melted down by the kings of the Macedonian dynasty in Asia. And in fact, so far as I know, there is no longer any stater of Cyzicus extant, bearing the complete impression which the ancient authorities ascribe to it. The stater of Phocæa is mentioned as a gold coin in authors, as well as in inscriptions, as, for example, in the catalogues of the votive offerings in the Athenian citadel.<sup>4</sup> Silver pieces cannot be intended here, since with the name of a stater of Phocæa the idea of a gold coin is inseparably united. Authentic Phocæan gold coins are tetradrachma, or double staters, and light tetroboli, or thirds of a

<sup>1</sup> Catalogue of the second portion of Greek, Roman, and foreign mediæval coins and medals, forming the third and last part of the truly valuable cabinet formed during the last fifty years by Thomas Thomas, Esq., p. 202. The weight of both pieces is entirely in accordance with the Attic weight.

<sup>2</sup> *Ant. Hell.* p. 223.

<sup>3</sup> Hussey, p. 92. A small gold piece, a bracteatus, upon which is the impression of an owl, and which is said to have been found in an Attic sepulchre, is alleged to be older than the art of coining itself. (*Revue de la numismatique Belge*, Tirlémont, without date, Vol. I. p. 364.) It must be an obolus.

<sup>4</sup> *Στατήρ Φωκαίς*, Demosth. agt. Boeot. concern. the Dowry, p. 1019. 15. *Φωκαϊτης*, Thueyd. IV. 52. Pollux, IX. 93, where *Φωκαίς* is also mentioned from Callisthenes, as also in Hesych. on the word *Φωκαίς*. Two staters of Phocæa as a votive offering, connected with other Phocæan coins in the inscription XII. § 19, Böckh's *Staatshaushaltung der Athener*, Vol. II., can no more be nominal or imaginary coins, than the Æginetan staters in inscription XII. § 43, in the same volume, and often elsewhere, or than other kinds of coin mentioned in the catalogues of the treasures contained in Attic temples. The *χρυσίον φωκαϊκόν* in the "Beilage," No. XIV. 12 m. in the same volume, was also a gold coin.



stater (στράται), of the standard of the gold darics.<sup>1</sup> Phocæan sixths (ἕκται φωκαίδες) are also mentioned as coins.<sup>2</sup> These were evidently dioboli. The coin called phocais was, according to Hesychius, the poorest gold (τὸ κάκιστον χρυσίον). The staters of Lampsacus have, with the exception of one piece of the Babylonian standard, the weight of the gold darics.<sup>3</sup> They also were found in the Athenian treasuries.<sup>4</sup> That the staters of Cyzicus were coined, is proved by many passages. This follows from a fragment of Eupolis, in the comedy called *The Cities*.<sup>5</sup> In Demosthenes against Lacritus, one hundred staters of Cyzicus are expressly regarded as coined gold.<sup>6</sup> Lysias, in recounting his stock of ready money, mentions four hundred staters of Cyzicus, together with one hundred darics and three talents of silver; and according to another passage of the same author, thirty staters of Cyzicus had been paid in cash.<sup>7</sup> The pay of the troops in Pontus was, according to Xenophon's account of the expedition of Cyrus, paid sometimes in staters of Cyzicus, as at other times in darics. They were also, in more ancient times, according to inscriptions, not seldom found in the Athenian treasury and in Athenian coffers.<sup>8</sup> And when Hesychius, Photius, Suidas, and others,<sup>9</sup> describe the impression of the stater of Cyzicus as having been beautiful and well executed, having on one side a female countenance, and indeed that of the mother of the gods, the one there worshipped under the name of the Sipylonian mother of the gods, on the other the

<sup>1</sup> Metrol. Unters. p. 135 seq. Respecting the expression *τρίτη*, used in relation to gold coins, see Hesych. on the word *ἕκτη*.

<sup>2</sup> Inscript. XII. § 19, as above, and in the passages there cited. Compare Hesych. on the word *ἕκτη*.

<sup>3</sup> Metrol. Unters. p. 134 and p. 51.

<sup>4</sup> Inscript. XVI. Böckh. Staatsh. d. Athen. Vol. II.

<sup>5</sup> In Meineke, No. V.

<sup>6</sup> P. 935. 13. ὅτι ἑκατὸν στατήρες κυζικηνοὶ περιγένοιτο, καὶ τοῦτο τὸ χρυσίον δεδανεικῶς εἶη, etc., *Χρυσίον*, and *αργύριον* in ancient writers always meant gold and silver in small pieces, that is, coined or manufactured. In Demosthenes against Mid. p. 570, 15, ὅτι τῆς μὲν Παράλου ταμείσας Κυζικηνῶν ἤρπασε πλείω ἢ πέντε τάλαντα; here *Κυζικηνοὶ* are the citizens of Cyzicus, not money. See Ulpian on the passage.

<sup>7</sup> Against Eratosth. p. 391; against Diogeiton, p. 894 sqq. Compare p. 903.

<sup>8</sup> Beilage, II. A. 12, C. 45 (completed), D. 53, V. (A.) Z. 9; XI. 2, XVI. 2 (completed); Staatsh. d. Ath. Vol. II.

<sup>9</sup> As Zenobius, for example, the collector of proverbs, IV. 71. Compare, also, Diogenian, V. 66.



forepart of a lion, who can, from their description, conceive of any other stater of Cyzicus than the ordinary golden one? Finally, Demosthenes<sup>1</sup> observes that 120 staters of Cyzicus were worth at the Bosphorus 3360 Attic drachmas; one, therefore, was worth twenty-eight drachmas. Probably the reason of this stater's having that high value at that period was not because the weight of the same amounted to more than two Attic drachmas, but because at that time gold was in that place worth more than usual; for its value was to that of silver in the relation of fourteen to one. The pieces extant which are thought to be staters of Cyzicus, are of rather uncertain origin; and, so far as I know, none has been preserved having the complete impression above mentioned, but only some with the head of a lion. From the weights of these pieces it may be concluded, if indeed any thing may be concluded from them, that a stater weighed two very light Attic drachmas. A very old piece, however, which is extant, indicates that there may have been a stater of the weight of the Babylonian or Æginetan didrachmon;<sup>2</sup> and according to a weight of Cyzicus which is extant, having on it an inscription,<sup>3</sup> this weight really seems in Cyzicus to have been called stater. But if such heavy staters were meant by Demosthenes, a lower value of gold would have to be supposed than I can allow; especially since the connection rather suggests that the exchange rate of gold was high at that time. I cannot, therefore, believe that the stater of Cyzicus was, in the time of Demosthenes, equivalent to more than two Attic drachmas. All single golden staters, moreover, are to be considered as didrachma of some standard or other. But Lysimachus, and others, coined also double and quadruple staters;<sup>4</sup> there were, likewise, half staters (*ἡμίχρυσοι*),<sup>5</sup> thirds, sixths, and twelfths (*ῥυμέκτα*) of a stater. Scaliger<sup>6</sup> is of the opinion that the damaretion which Damareta, the wife of Gelon, and

<sup>1</sup> Against Phormion, p. 914, 11. ὁ δὲ Κυζικηνὸς ἐδύνάτο ἐκεῖ εἴκοσι καὶ ὀκτὼ δραχμαῖς Ἀττικαῖς, and 13, τῶν μὲν γὰρ ἑκατὸν καὶ εἴκοσι στατήρων γίγνονται τρις χίλιναι τριακόσια ἐκήκοντα.

<sup>2</sup> Metrol. Unters. p. 136 seq. and p. 51.

<sup>3</sup> C. I. Gr. No. 3,681.

<sup>4</sup> Eckhel. D. N. Vol. 1, p. 50.

<sup>5</sup> Pollux, VI. 161; IX. 59.

<sup>6</sup> De re numm. p. 13, 17.

daughter of Theron, caused to be coined about the 75th Olympiad, (B. C. 480,) was a half stater. It was, according to Diodorus, coined from the garland, weighing one hundred talents, which the Carthaginians presented to her on the ratification of the treaty of peace; according to Pollux, from the ornaments of the women, which they had given to aid in defraying the expenses of the war with the Carthaginians.<sup>1</sup> Scalager's opinion, notwithstanding the surprise which it has caused, is perfectly well founded, since the value of the damaretion, according to Diodorus, was equivalent to ten Attic drachmas, to half as much, therefore, as the ordinary stater. Diodorus asserts that the Sicilians called this gold coin pentakonta-litron, from its weight.<sup>2</sup> But since fifty Sicilian litras weighed thirteen drachmas, that is,  $5\frac{1}{3}$  oboli of the Attic coin-weight, it is evident that the weight of the gold in the damaretion is not intended, for that could amount to but one drachma, but by an indirect mode of expression, the weight of the amount of silver which was considered in Sicily to be equivalent to the damaretion. If the damaretion, according to what was in ancient times the ordinary relation of gold to silver, namely, as ten to one, was worth ten Attic drachmas, the Sicilians, among whom gold had probably a higher value, received it for fifty litras of silver, according to the relation of  $13\frac{2}{3}$  to 1; or if the litra had been at that time already reduced to  $1\frac{1}{2}$  Attic oboli, according to the relation of  $12\frac{1}{2}$  to 1.<sup>3</sup>

The question what the appellations talent and mina denoted in relation to gold, has been often discussed. According to the ordinary text of Pollux,<sup>4</sup> the golden stater was worth a mina. This, unless one, with Rambach,<sup>5</sup> conceives of gold coins of eight to ten drachmas weight, seems entirely inexplicable.

<sup>1</sup> Diodor. XI. 26; Pollux, IX. 85; Schol. Pind. Olymp. II. 29, according to the ordinary method of numbering the verses.

<sup>2</sup> ἀπὸ τοῦ σταδμοῦ.

<sup>3</sup> Compare Metrol. Unders. p. 304 seq., also 321 seq.

<sup>4</sup> IX. 57. ὁ δὲ χρυσὸς στατήρ μινὰν ἡδύνατο. The passage of Hesych., τετραστάτηρον· τετράμνονν, may also be here cited.

<sup>5</sup> On Potter, Vol. III. p. 169. In like manner Letronne, "Récompense promise," etc. p. 10. He understands by the coin mentioned by Pollux a Ptolemaic octodrachmon. I understand by it a tetradrachmon of the Æginetan standard, without wishing to deny that it may also be considered as an octodrachmon. (Metrol. Unders. p. 141, 146.)

Coins of that weight, indeed, would be worth a silver mina. But, allowing that Pollux may have called a heavy gold coin, as for instance the largest Ptolemaic coin, stater, yet this conception of the matter is not consistent with the connection of the author. And, besides, he is treating directly of Attic usage; so that, from what he says, one might suppose that a gold stater was also called mina. But the passage of Pollux is rather to be considered corrupt. He was not speaking of the gold stater, but of what was sometimes called stater in reference to weight. He means that the word *στατήρ* was sometimes used in reference to weight for mina. The connection shows this, and Bentley's<sup>1</sup> penetration long ago perceived it. There can be no question, therefore, that there never was a piece of gold of small weight called a mina. That, on the contrary, there was certainly a usage in relation to gold, according to which a comparatively small weight of it was called a talent, is rendered probable from the circumstance that the same grammarian, in two other passages,<sup>2</sup> calls three Attic gold staters, or chrysi, a gold talent. This very circumstance, that Pollux makes the remark twice, prevents the adoption of the correction proposed by Salmasius.<sup>3</sup> I believe, therefore, with John Francis Gronovius,<sup>4</sup> that a weight of six drachmas of gold, according to a common usage in certain cases, was called talent, probably, as has been supposed, because the talent of copper, according to a later ratio of the value of gold to that of copper, namely, as one thousand to one, had that value. The statement of Pollux is fully confirmed by the account that the Macedonian talent was equivalent to three gold staters;<sup>5</sup> just as Philomon the comic writer estimated six

<sup>1</sup> Epist. p. 251 of the collection of Friedmann. Instead of *ἀργάριον*, he substitutes *στατήριον*, which at least in sense is the more correct.

<sup>2</sup> IV. 173; IX. 53.

<sup>3</sup> He would read instead of *τρεῖς* (T), *τρεῖςκατοῖς* or T, because three hundred chrysi, according to the relation of gold to silver of ten to one, amount to a talent of silver. If the text should be altered, *τρισχίλιους* might be written instead of *τρεῖς*; the character for which latter number, when abbreviated, is not very different from that which represents the former. Three thousand gold staters weighed a talent.

<sup>4</sup> De Pec. Vet. III. 7.

<sup>5</sup> Eustath. on the *Iliad*. i. p. 740, 20. The same thing is mentioned in *Lex. Seg.* p. 306, on the word *τάλαντα*, where is to be read, *δραμαὶ δὲ τρεῖς χρυσάου, ὡς ὁ Οὐαντιμῖνος* (Nicander). See Meier Aulocend. VI. 3, p. VIII. In accordance with this, the passage

*χρυσοῖ* to be equivalent to two talents. The goldsmiths probably reckoned according to these little talents; and when golden garlands of many talents are mentioned, no other talents but such as these are meant. Who will believe that the Carthaginians presented to Damareta a garland containing one hundred talents of gold,<sup>1</sup> if a talent of gold had the ordinary weight of a talent of silver, or even only a weight of gold of the value of a talent of silver? How could it be related that the inhabitants of Chersonesus had honored the Athenian council and people with a golden garland of the weight of sixty talents,<sup>2</sup> if a talent were of the value supposed? and what immense garlands they would have been! But if one hundred talents of gold are equivalent to six hundred drachmas of gold, and sixty talents of gold to 360 drachmas, these were still quite heavy garlands. The largest of those which I have found mentioned in the more ancient writers, were that of Jupiter in Tarracoma, weighing fifteen pounds; that which the Carthaginians, in the year of the city 412, sent to Jupiter Capitolinus, containing twenty-five pounds of gold, (1875 Attic drachmas of gold); and the truly immense one of the value of ten thousand gold staters, in the time of Ptolemy Philadelphus, which, during a festive procession in the reign of that king, lay upon the throne of Ptolemy Soter, together with another one of gold and precious stones eighty ells long. In later times, in the age of Augustus Caesar, a garland of the value of two thousand gold staters (*χρυσοῖ*) was sent by the inhabitants of Mytilene to Rome.<sup>3</sup> In the citadel of Athens there were many garlands of the weight of seventeen and a half to one hundred drachmas. A garland, which the celebrated Lysander dedicated at Athens to Minerva, weighed sixty-six drachmas, five oboli. Two garlands, presents in honor of Minerva in the citadel, weighed one 245 drachmas, 1½ oboli,

in my Metrol. Unters. is to be corrected, in which I have cited more upon the subject; for example, that Heron Didymus alleges that the talent of Homer was equivalent to two Attic drachmas.

<sup>1</sup> Diodor. XI. 26.

<sup>2</sup> A doubtful legal document in Demosth. de coronâ, p. 265, 25. Respecting the garland at Tarracoma, see Sueton. in Galba, 12. Respecting the present of the Carthaginians to Jupiter Capitolinus, see Livy, VII. 38. Respecting the garland of Ptolemy, see Athen. V. p. 202 B. p. 202 D.

<sup>3</sup> C. I. Gr. No. 2,167 d (Vol. II. p. 1025.)



the other 272 drachmas,  $3\frac{1}{2}$  oboli; another, in honor of the same goddess, 232 drachmas, 5 oboli. The largest in the citadel was of the weight of 1,250 drachmas of gold.<sup>1</sup> A garland of the value of only ten chrysi is mentioned in a Rhodian inscription, directed to be made by a religious incorporation. Quite a large one of the value of one hundred chrysi, is mentioned in an Æginetan inscription.<sup>2</sup> It was also frequently directed how much money in silver was to be employed upon the garland with which one was to be honored. I only remark in respect to this matter, that, according to decrees found in inscriptions, ordinary values directed to be thus employed in Athens, were five hundred, and one thousand, drachmas of silver; smaller values are also mentioned in this connection. A garland presented to the Delian Apollo, at the great quadrennial festival, cost only fifteen hundred drachmas of silver,<sup>3</sup> and can, therefore, even if the work employed upon it be estimated at a small price, have weighed but little over 140 drachmas of gold. According to these examples, to which may be added many more, the talents which are mentioned in connection with the garland of Damareta, and with that of the inhabitants of Chersonesus, must probably have been small talents of six drachmas of gold. So much gold, however, as was estimated to be equivalent to a talent of silver, was undoubtedly also called a talent of gold. And, finally, a weight of gold of six thousand drachmas, the value of which, compared with silver, always depended upon the existing relation between them, was sometimes thus called.<sup>4</sup>

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<sup>1</sup> Beilagen, X.-XIV.; Böckh, Staatsh. d. Athen. Vol. II. The garland of 1,250 drachmas was in the Hekatompedos before the time of the Archon Euclid Art. t., if the reading is correct. See Böckh, Staatsh. d. Athen. Vol. II. p. 189, B. 28.

<sup>2</sup> C. I. Gr. No. 2,525 b., No. 2,140.

<sup>3</sup> Inscript. VII. § 5 in Böckh, St. d. Athen. Vol. II. p. 95.

<sup>4</sup> Herodot. III. 95; Menander in Pollux, VI. 76; Polybius, XXII. 15. Respecting the mina, see the last. The obscure passage of Suidas in his article on the word *ὀβολός*, and of Photius referred to in the same place by Küster, cannot be taken into consideration with respect to the value of the talent of gold.



## CHAPTER VI.

THE PRICE OF GOLD, AND OF OTHER METALS, COMPARED WITH  
THAT OF SILVER.

THE ordinary price of gold may be determined, as well from the passages already cited, as from other accounts. The most usual relation of gold to silver in more ancient times seems to have been, in accordance with what was said of the value of the stater weighing two drachmas, that of ten to one. This relation must have been established in Asia. We find it, for example, at Athens, assumed by Lysias, in his account of the property of Conon, and, generally, in the usual valuation of the chrysûs at twenty drachmas of silver.<sup>1</sup> It does not follow from this, however, that, in the time of Lysias, this was the precise value of gold, since, for convenience of reckoning, this relation of gold to silver may have been commonly assumed as a basis. The value of gold gradually increased, partly on account of the relatively greater increase of silver, until the relation of gold to silver became similar to those which have prevailed in modern Europe, namely thirteen and a half to one, and fifteen to one; but it fluctuated according to circumstances. When we find, however, in Menander<sup>2</sup> a talent of gold, even so late as the time in which he lived, estimated as equivalent to only ten talents of silver, either gold must have at that time, through the campaigns of Alexander in Asia, which opened the treasures of Persia, depreciated, or Menander estimates in the roundest terms. The same relation returns also in later times. In the

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<sup>1</sup> Compare, respecting this relation, J. F. Cronovius, de pec. vet. II. 8. Hesych. on the words *δραχμή χρυσίου*, according to the appropriate correction given in the notes, definitely designates this relation, and Suidas also, on the word *δραχμή*. In some countries of the East gold was certainly of less value; Strabo, for example, in the 16th book, relates of a country bordering on that of the Sabæans, that gold had there only the twofold value of silver, and threefold that of bronze.

<sup>2</sup> In Pollux, IX. 76.

year of the city 565, (189 years before Christ,) the Romans made it optional to pay taxes in gold at that valuation, instead of silver,<sup>1</sup> which then was probably valued at much too low a rate. But in the dialogue on covetousness,<sup>2</sup> which formerly, under the name of Hipparchus, passed for a dialogue of Plato, and certainly originated in the time of Plato, the value of gold is represented to have been twelvefold that of silver. Herodotus estimates its value to have been thirteenfold that of silver.<sup>3</sup> According to the author of the above-mentioned dialogue, the chrysûs was worth twenty-four, according to Herodotus, twenty-six, drachmas of silver. To infer from the above-mentioned value of the damaretion, gold, in the time of Gelon, had risen in Sicily to the value of  $13\frac{8}{9}$ , or at least of  $12\frac{1}{2}$  times that of silver. Diodorus, on the other hand, following ancient custom, evidently estimates the value of the damaretion in silver according to the relation of ten to one. Considering the fluctuation of prices, it cannot surprise if we assume that the stater of Cyzicus weighed only two drachmas of gold, but that, at a certain time during the life of Demosthenes, it was estimated at the Bosphorus to be equivalent to twenty-eight drachmas of silver. The cause of this was, that the value of gold, compared with that of silver, had just at that time risen there, so that the former had to the latter the relation of fourteen to one. The Romans, in the year of the city 547, (B. C. 207,) coined gold of a standard, making its value, compared with that of silver, as 17.143 to 1, since the scriptulum, which was at that time coined, bore the value of twenty sesterii. But this was evidently a financial operation, and probably the scriptulum of gold was at that time worth only sixteen sesterii, or four denarii, so that it had to silver the relation of 13.7 to 1.<sup>4</sup> After the beginning of the eighth century from the foundation of the city of Rome, when the aureus was coined forty to the pound, and its value fixed at twenty-five denarii, the value of gold for coining, and in trade, compared with that of silver, was as  $11\frac{9}{11}$  to 1. But it fell afterwards

<sup>1</sup> Polyb. XXII. 15, 8; Liv. XXXVIII. 11.

<sup>2</sup> P. 231 D.

<sup>3</sup> III. 95.

<sup>4</sup> These relations are derived from the accounts of Pliny, XXXIII. 3 (13), and XIX. 1 (4), estimating according to the worth of the denarius at that time.

still lower. In later times its value, according to a law in the Theodosian code, compared with that of silver, was in the relation of 14.4 to 1. In the year of the Christian era 422, gold had risen in value to the relation of eighteen to one, compared with the value of silver.<sup>1</sup> When Cæsar plundered Gaul, he sold gold at three fourths of the price which was usual at that time, (the pound at three thousand instead of four thousand sesterii.) So, according to Polybius, through the sudden increase of gold from the mines of Aquileia, the price of the same was, for a time, depreciated in Italy about a third.<sup>2</sup> The occasional rise in the price of gold in Greece may have had several other causes beside the increase of silver in circulation. The increasing manufacture of gold for ornament, articles of furniture, and works of art, especially in honor of the gods, contributed, doubtless, somewhat to this rise. The increase of trade, also, must have raised its value; for, through the want of a system of exchange, large amounts of ready money had to be transported from one place to another. For this purpose gold is the most convenient medium. The pay of the troops was paid in gold. The military chests needed, therefore, a considerable supply; and the demand for gold in the continual wars must have been great. Probably a large amount of coined gold was thrown out of circulation by being accumulated in public and private treasuries. Sparta swallowed in this way, for many generations, a large amount of precious metal. As in the fable of Æsop, the traces of that which entered it were seen, but never of that which came out,<sup>3</sup> especially, it is probable, since the State kept the gold and silver locked up, and expended it only for war and for foreign enterprises.<sup>4</sup> But private persons, also, although contrary to law, accumulated treasures. Lysander sent home one thousand, according to Diodorus even 1,500 talents of gold, (that value in silver, or that amount of gold estimated accord-

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<sup>1</sup> See, in respect to the whole subject of the price of gold at Rome, Hamberger *de pretiis rerum*, p. 7 sqq.; Letronne *consid. gener.* p. 58-113; Wurm *de pond. et mens.*, in which works, the proofs of those statements for which citations have not been here given, will be found.

<sup>2</sup> Sueton. *Cæsar*, 54; Polyb. XXXIV. 10.

<sup>3</sup> *Alcib. II.* p. 122, at the end in Plato's works.

<sup>4</sup> See Book IV. 19 of the present work.

ing to its value in silver.) 470 talents were sent at one time.<sup>1</sup> Must not the Spartans in particular have accumulated gold, especially since it was wont to be used for paying the soldiers?<sup>2</sup>

Beside the good silver and gold coin, many Hellenic States had another kind of coin, which in foreign States was either uncurrent or subject to a heavy deduction, and was intended only for domestic traffic (*ρόμισμα ἐπιχώριον*). To these belonged, among others, all the copper and iron coins, the value of which, by order of the State, was generally raised far above their intrinsic worth. In Athens, with the exception of the current coins of the lowest denominations, no such money was usual. Under the Archon Callias, however, (Olymp. 93, 3, B. C. 406), a copper coin of this kind was executed, which was soon after decried;<sup>3</sup> and this was repeated in the times of the Roman emperors. Copper money also, in more ancient times, was not used among the Hellenes and Asiatics, except in Italy and Sicily, and even in Sicily it was not much earlier coined than in Greece.<sup>4</sup> I have found no definite account of the mercantile price of copper, tin, and iron in Greece. Nevertheless, I have, in another place,<sup>5</sup> shown it to be probable that the most ancient

<sup>1</sup> Plutarch in the Life of Nicias, 28; Lysander, 16-18. Diodor. XIII. 106, who probably exaggerates, if he means that this whole sum at one time was sent to Sparta after the taking of Sestos. Respecting the last-mentioned sum of 470 talents, see Xen. Hellen. III. 2, 6.

<sup>2</sup> According to Plutarch, what Lysander sent had the impression of an owl; he adds, as the probable cause of this, that the most of the money at that time, on account of the Athenians, had the impression of an owl. Without meddling with what Corsini F. A. Vol. II. p. 235 says of this, I remark, that that gold was not indeed raised from Athens, but from States in which Attic silver money was in circulation, and this last, about the end of the Peloponnesian war, and in the succeeding times, within the territories of those States which were at that time, or had been previously, allies of the Athenians, was certainly the most current money.

<sup>3</sup> See Book IV. 19 of the present work.

<sup>4</sup> Metrol. Unters. p. 340.

<sup>5</sup> The same, p. 342. In the same work, the other certain or probable relations of the metals are here and there considered. It would seem from the sale of ships' beaks, of which I have treated in my work on the Documents relating to the Athenian Marine, that the value of copper was very high. But I must retain the doubts there expressed, and I refer to the supplements to the above-mentioned work on the Documents, etc., No. XIV. c. 192. When in the computation given in the same work, p. 101, I speak of the mercantile talent of about one hundred minas, I have assumed merely a round number, (instead of eighty-nine and seven tenths minas, including the surplus weight,) since greater accuracy was of no importance. Indeed, the higher



average relation of the value of copper to that of silver was as one to three hundred. Copper may have still more depreciated in value. But its value seems gradually to have risen very high, only not in the same degree as in the standards of coin. In these it, at least very often, was estimated higher than its mercantile price. During the dynasty of the Ptolemies, the relation of the value of silver to that of copper, in the inexact method of coining which prevailed, seems to have been that of sixty to one; among the Romans, in the two ounce standard, of 140 to 1; in the uncial standard, of 112 to 1; in the half-ounce standard, of fifty-six to one. In Sicily, in the time of Aristotle, according to the value of the new talent, the value of the copper seems to have been fixed at the  $\frac{1}{146}$  of that of silver; so that the talent of the former possessed the value of the double or older talent used in commerce, namely, twenty-four nummi, while its actual worth was only twelve nummi. The author of the second book of the *Œconomics* ascribed to Aristotle,<sup>1</sup> relates that lead was sold by the proprietors of mines for two drachmas; but that Pythocles, doubtless the contemporary of Demosthenes, advised the State to assume the monopoly of this native production of the mines of Laurion, and to sell it for six drachmas. The weight is not given, but there can be no doubt that it was the mercantile talent (*τάλαντον ἐμπορικόν*). If we take the mercantile talent according to its later regulation as mentioned in the Nineteenth Supplement Vol. II. of the present work in the original, but without surplus weight, it was equivalent to 8,280 drachmas silver weight, about seventy-seven Prussian, or 72.49 English pounds Troy weight, which, before the time of Pythocles, were worth twelve g. gr. or 34.20 cts. Afterwards, if the proposal made by him was adopted, they were worth three times that amount. The price of the article may have been uncommonly low in Attica at that particular time when it was valued at two drachmas the talent. For, as early as Olymp. 93, 2, (B. C. 407,) we find in the accounts for the

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the mercantile talent was estimated, the lower would be the price of copper, and the very object was to show that even in relation to a very large talent, the price of copper, according to the account in question, would be too high.

<sup>1</sup> Cap. 36, where instead of *Τυρίων*, either *Λαυρίων* or *ἀργυρείων* is to be read. I have shown in another place that lead was obtained in the silver mines.



building of the temple of Minerva Polias,<sup>1</sup> a much higher price, namely, five drachmas for the talent. In Rome, a hundred pounds of common lead, which are equivalent to 7,500 Attic drachmas of weight, cost seven denarii.<sup>2</sup>

## CHAPTER VII.

### POPULATION OF ATTICA.

PRICES depend, next to the amount of money in circulation, upon the relation which the wants of the community, or the demand, bear to the present supply. Since the former are determined by the amount of the population, it will be necessary to speak of this. The area of Attica contained, according to the map of Barbié du Bocage, which belongs to the travels of Anacharsis,<sup>3</sup>  $36\frac{1}{2}$  Prussian,  $579\frac{1}{2}$  English square miles; of Salamis,  $14\frac{3}{4}$  Prussian,  $21\frac{1}{2}$  English square miles; and of Helena,  $\frac{5}{16}$  of a Prussian square mile, 5 English square miles; together, therefore, the three contained nearly  $37\frac{5}{8}$  Prussian, 606 English geographical square miles.<sup>4</sup> According to the later map, published by the same person<sup>5</sup> in the year 1811, Attica contained  $39\frac{1}{16}$ , Salamis,  $1\frac{1}{8}$ , and Helena,  $\frac{5}{16}$ , together, 41 Prussian square miles, equivalent to 625, 26, 5, and, in the whole, to 656 English geographical square miles, respectively. From Kiepert's map of Argolis, Corinthia, Megaris, and Attica, the area of Attica, together with Oropia, Salamis, and Helena, has been estimated by me at about 47 Prussian, 752 English geographical square miles, equivalent to about 1,002 English statute square miles.

<sup>1</sup> Rangabé *Ant. Hell.* I. No. 57 B.

<sup>2</sup> *Plin. N. H.* XXXIV, 48.

<sup>3</sup> *L'Attique, la Mégaride, et Partie de l'Isle d'Eubée*, 1785.

<sup>4</sup> The English geographical mile is equivalent to about 5,901 Rhineland feet, or to nearly one fourth of a Prussian geographical mile (23,642 Rhineland feet).—Tr.

<sup>5</sup> *Carte générale de la Grèce, et d'une grande partie de ses colonies tant en Europe qu'en Asie, pour le voyage du jeune Anacharse, par J. D. Barbié du Bocage, commencée en 1798, terminée en 1809.* Paris, 1811.

Many learned men have discussed the question, what was the population of this small space. The ancients assert, not only in general that Athens was the most populous of the Hellenic cities,<sup>1</sup> but they also give definite accounts leading to a conclusion to the same purport. The credibility of these accounts has been doubted by Montesquieu,<sup>2</sup> Hume,<sup>3</sup> and other English and French authors; by others, however, not unsuccessfully defended. Of the latter I will name in particular Sainte-Croix, as the one who, using the materials furnished by his predecessors, has amply discussed this important subject,<sup>4</sup> while at the same time he has taken into consideration the circumstances which, at certain periods, caused an increase or diminution of the number of the inhabitants. Of his work I shall in the sequel take no further notice, partly on account of its want of adequate authorities, partly because our object does not allow going so fully into particulars; as well as because I will not criticize the errors of no essential consequence, and not affecting the main point, into which the learned author has fallen. I pass over all attempts to determine the number of inhabitants in Athens from its military forces, since the accounts which would here have to be taken into consideration, partly because they are for the most part too general, and do not distinguish with precision the classes of the citizens, of the foreigners living under the protection of the State, and of the slaves, partly for other reasons, give no reliable result.

The entire population of Attica would be best ascertained by

<sup>1</sup> Meursius de F. A. IV. p. 24.

<sup>2</sup> *Esprit des Lois*. XXIII. 7.

<sup>3</sup> Versuch über die Bevölkerung bei den Alten, p. 237 sqq.

<sup>4</sup> *Memoires de l'Acad. des Inscr.* Vol. XLVIII. The subject has been of late years repeatedly discussed. Letronne (*Mem. de l'institut, Acad. des Inscr. et B. L.* Vol. VI. p. 165 sqq.) estimates the inhabitants of Attica at seventy thousand Athenians, forty thousand foreigners living under the protection of the government, and 110,000 slaves. Leake (*Topogr. of Athens*), and Clinton (*Fast. Hell.* in the volume which was published first, *Append. XXII.*), substantially agree with me; and the last has carefully examined the opposite opinions of others. Lewis *Cambr. Philol. Mus. Fasc. I.* p. 136, opposes Niebuhr, *Röm. Gesch.* Vol. II. p. 80, 2d ed., who expresses doubts in respect to the estimated number of the slaves. The same, in the preface to the first edition of his translation of the first edition of the present work, has made some important remarks against Letronne, and against a treatise upon this subject in the *Museum Criticum*, Vol. I. p. 215.

first determining separately the number of the citizens, of the foreigners under the protection of the government, and of the slaves, with their wives and children. The accounts extant which relate to the number of the citizens, are the most numerous. But they differ according to the difference of the age in which they are given, and of their greater or less precision. That the number of the citizens was considerable, may be inferred from Xenophon's account, in which he estimates the number of the Athenians to be equal to that of the whole body of the Bœotians, citizen for citizen.<sup>1</sup> All the separate accounts, with the exception of a single one from the most ancient times, fluctuate between nearly twenty thousand and thirty thousand. Indeed Philochoros<sup>2</sup> related even of the reign of Cecrops, that during it there were twenty thousand men enumerated, by which term he probably meant citizens. But this is a fabulous tradition, which, I suppose, was accommodated to the number of the citizens in later times. More remarkable is the account of Pollux,<sup>3</sup> that each of the 360 ancient races which, before Cleisthenes, were comprised in the four ancient tribes, contained thirty men, and hence the races were also called *τριακάδες*. This would make the number of citizens 10,800. If it may be objected to this, that a determinate number is inconceivable in this connection, it might at least be answered, that at the time when the arrangement of the tribes was formed, this number may have been assumed as the average, although it did not remain the same. As the Romans called a certain military officer centurio, although he may have had under his command only sixty men, so may a race have been called triakas, although it comprised fifty men or more. That the number of the citizens amounted to thirty thousand, was commonly assumed from the times of the Persian wars to the end of the Peloponnesian war. Herodotus<sup>4</sup> relates that Aristagoras of Miletus beguiled thirty thousand Athenians entitled to vote. Aristophanes, in the *Ecclesiazusæ*,<sup>5</sup> which was written after the times of the

<sup>1</sup> Memorab. Socrat. III. 5, 2.

<sup>2</sup> In the scholiast of Pindar Olym. IX. 68, where the words τὸν τῶν Ἀθηναίων δῆμον καὶ τὸ πλῆθος contain no diversity of meaning, but πλῆθος (the number of the people) is a more particular designation.

<sup>3</sup> VIII. 111.

<sup>4</sup> V. 97.

<sup>5</sup> Vs. 1,124.

anarchy, speaks indeed of more than thirty thousand; and the author of the dialogue entitled *Axiochus*,<sup>1</sup> asserts that the assembly of the people in which the generals were condemned, after the victory near the islands *Arginusæ*, consisted of a greater number than this. These are manifestly exaggerations. Herodotus, that he may by the example of *Aristagoras* show how much easier it is to beguile many than one, may indeed have chosen a current, but by no means accurate and authenticated number. A comic writer may dispense with perfect accuracy. And the author of the dialogue entitled *Axiochus* could not have seen a register of the names of the persons who formed the assembly. After the disastrous defeats in Sicily, and a war carried on so long with fluctuating fortune, it would probably have presented a very different number from that given by him. Should it be supposed that in the numbers of citizens said to have been present in the assemblies of the people, many were included who had not the legal right to vote, but illegally assumed it, even on this supposition the number of citizens would not reach thirty thousand. For all the citizens never, even when matters of the highest importance were to be discussed, were present at the same time in the assemblies of the people. The accounts which are founded upon actual enumerations, give numbers entirely different. Upon the occasion of a distribution of grain, which, like all the public distributions, was made to the adult citizens of eighteen years of age according to the *lexiarchian* registers, an investigation took place in the archonship of *Lysimachides* (*Olymp.* 83, 4, B.C. 445) respecting the genuineness of claims to citizenship. It was then found, according to *Philochorus*, that there were but 14,240 genuine Athenians. 4,760, who had crept into the privileges of citizenship, were, on that account, according to *Plutarch*, sold into slavery, but, at all events, they were excluded from the rights of citizenship. Before that time, therefore, there were nineteen thousand acknowledged as citizens. This is too round a number to be considered as perfectly accurate; *Plutarch*, who probably only follows *Philochorus*, mentions 14,040 as the number of the genuine citizens, and nearly five thousand as excluded.<sup>2</sup> Since, at

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<sup>1</sup> Cap. 12.

<sup>2</sup> *Philochoros* in the *Schol. Aristoph. Wasps*, 716; *Plutarch*, *Pericles*, 37.



the breaking out of the Peloponnesian war, beside thirteen thousand hoplitæ appointed to serve in the field, there were still sixteen thousand others in Athens who consisted of the oldest and youngest citizens, and of a number of foreigners under the protection of the State,<sup>1</sup> the number of the citizens must at that time have again increased. The number of those who perished in the wars, and who were not replaced by natural increase, was sometimes supplied by the naturalization of foreigners, as was done, for example, during the archonship of Euclid, and after the battle of Chæronea. (Olymp. 94, 2, B. C. 403.) Entirely in accordance with these accounts, therefore, we find, in the first speech against Aristogeiton,<sup>2</sup> attributed to Demosthenes, the number of the citizens estimated at nearly twenty thousand. Plato, in the dialogue entitled Critias, assumes that this was their number in the most ancient times of the Athenian State, doubtless, in his poetical style, transferring the relations of his own time to the earliest condition of the State. The later Hellenic authors, as Libanius for example, follow the same estimation.<sup>3</sup> An account from the same age agrees very nearly with the words of the speech of Demosthenes. When Lycurgus caused the property of Diphilus, amounting to 160 talents, to be distributed, every citizen received fifty drachmas;<sup>4</sup> so that the number of the citizens was 19,200. The assertion that Athens had twenty-one thousand citizens in the reign of Antipater, (Olymp. 114, 2, B. C. 323),<sup>5</sup> cannot be admitted, since it is derived from a later enumer-

<sup>1</sup> Thucyd. II. 13.

<sup>2</sup> P. 785, 24. The spuriousness of the second oration is acknowledged by both ancient and modern critics. Dionysius doubts whether Demosthenes was the author of the first. It is also mentioned in Harpocration (on the word *θεωρίς*) as suspected of being spurious. I consider the first as a work of the Alexandrian age (see Documents relating to the Athenian Marine, (Urkunden vom Seewesen,) p. 538 sqq.). Respecting the usage of the word *ῥαυόν* in the passage cited, compare Hesych. Suid. Harpocr. and Phot. on the word *ῥαυόν*.

<sup>3</sup> See Meursius de F. A. IV. According to the interpretation of the Scholiast, the same number of citizens was assumed by Aristophanes in the Wasps, 707. But it is not definitely expressed in the words of Aristophanes.

<sup>4</sup> Lives of the Ten Orators, in the Life of Lycurgus, toward the end. The addition *ἡ ὥς τίνες μὲν* deserves no regard.

<sup>5</sup> Plutarch in the Life of Phocion, 28.



ation of the people. The inaccurate Diodorus<sup>1</sup> dreams of fully thirty-one thousand, since he estimates, instead of twelve thousand with Plutarch, that there were twenty-two thousand who were deprived of the full privileges of citizenship, and assumes nine thousand as remaining. In the last number he agrees with Plutarch. These twelve thousand excluded, who in part had left the country, were restored Olymp. 115, 3, (B. C. 318).<sup>2</sup> Soon after, an enumeration of the people was made, which was the same to which the number given in Plutarch of those who were excluded from the rights of citizenship, and of those who were permitted to retain them, was accommodated. It was made by Demetrius Phalerius during his archonship, Olymp. 117, 4, (B. C. 309),<sup>3</sup> and showed, according to Ctesicles,<sup>4</sup> that the number of citizens was 21,000, of foreigners living under the protection of the state, 10,000, and of slaves, 400,000. The isoteleis (ἰσοτελεῖς) of course were comprised among the foreigners living under the protection of the state (ξένοι μέτοικοι). Foreigners not domiciliated were, of course, not included. From this specification the whole number of the Athenian population has been differently estimated. According to the ordinary statistical rule, the adult men were generally estimated to have been the fourth part of the whole number of souls. By this rule, the number of the citizens would amount to 84,000, and of the foreigners under the protection of the state, to 40,000. But in regard to the slaves, the application of the rule was embarrassing, since the number of the slaves, according to the same ratio, or even to one somewhat less, would be too extravagant. Hume, with the object of ascribing the lowest possible rate of population to the states of antiquity, alleges many reasons against this multitude of slaves, and assumes at last only forty thousand instead of four hundred thousand, as the number of the adult men, to which then the number of the women and children were to be added. The reasons which he gives are partly insignificant, and partly rest upon false suppositions. So also is all that he says

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<sup>1</sup> XVIII. 18. To alter the passage seems to me to be inadmissible, since Diodorus so readily exaggerates numbers.

<sup>2</sup> Diodor. XVIII. 66.

<sup>3</sup> This is the correct date, given by Saint Croix, p. 64

<sup>4</sup> In Athen. VI. p. 272 B.

respecting the public property of the Athenian people, which he estimates at only six thousand talents, perfectly false. But in enumerating the slaves, not only the number of adult men, or fathers of families, which last is an idea not at all applicable to slaves, was taken, but they were counted, as Gillies has already remarked,<sup>1</sup> like sheep, and cattle, by the head. For, like sheep and cattle, they were property. Four hundred thousand, therefore, is, in the enumeration given by Ctesicles, the entire number of slaves of all conditions. With this conclusion a passage of Hyperides agrees, from which it may be concluded that, beside the slaves in the city, there were in the country, including those in the mines, more than 150,000 adult male slaves.<sup>2</sup> If fifty

<sup>1</sup> Essays upon the History, Customs, and Character of the Greeks, p. 15 of the German translation of Macher.

<sup>2</sup> Suidas on the word ἀπεψηφίσατο has, namely, the following fragment from the speech of Hyperides against Aristogeiton: Ὅπως πρῶτον μὲν μυριάδας πλείους ἢ δεκάπεντε τοὺς ἐκ τῶν ἔργων τῶν ἀργυρείων καὶ τοὺς κατὰ τὴν ἄλλην χώραν ἔπειτα τοὺς ὀφείλουσας τῷ δημοσίῳ, καὶ τοὺς ἀτίμους καὶ τοὺς ἀπεψηφισμένους καὶ τοὺς ἀποίκους. Compare with this Kiessling's *Lycurg. Fragm.* p. 198 sqq. Whatever may have been the connection of this passage, it is evident that the orator was giving the number of the adult male population according to their classes, with the single exception of those who were entitled to the full privileges of citizenship. Τοὺς ἀποίκους, although it might seem in certain respects admissible, is probably not the correct reading, and it has been, with good reason, conjectured that μετόικους should be substituted in its place. Since the ἰσοτελεῖς were also μέτοικοι, and the foreigners not domiciliated did not belong to the population, but only those foreigners who were ξένοι μέτοικοι, the classes are exhausted, if those myriads mentioned in the beginning of the sentence were slaves, as it would seem from the more particular designation of them in the words that follow, that they were. Since, however, in the passage there is no express designation of their condition, I conjecture that slaves were mentioned in the preceding context, and these could have been only the slaves in the city, who, we know not why, were mentioned previously, together with the citizens. From these were distinguished the slaves out of the city; and among the last, those in the mines were first mentioned, because the slaves were collected there in great numbers. After them were mentioned those ἐν τῇ ἄλλῃ χώρᾳ, those in the other parts of the land, in distinction from those in the city; that is, those in the rural districts. (Kiessling erroneously deducts also those in the δῆμοι, and those on board the fleet, as well as those in the city.) The city cannot, in accordance with usage, be included in the term ἡ ἄλλη χώρα. Ἡ ἄλλη χώρα is contrasted with the mining district. If the orator had intended to include the slaves in the city also, he would certainly have said τοὺς ἐν ᾧσται καὶ τοὺς ἐκ τῶν ἔργων τῶν ἀργυρείων καὶ τοὺς κατὰ τὴν ἄλλην χώραν. It is evident, therefore, from this passage, that, exclusive of the slaves in the city of Athens, there were in Attica over 150,000 adult male slaves. If the orator is to be understood literally, there must have been more myriads than fifteen, about, therefore, 160,000 or 170,000.

thousand adult male slaves be added to these for the number of those in the city, the whole will amount to over two hundred thousand adult male slaves ; more than the half, therefore, of the whole number above mentioned ; so that less than half remains for women and minors. The population of Attica, then, according to the above estimation, without the foreigners not domiciliated, amounted to 524,000 souls. Wallace estimates it higher, since he makes the number 580,000 and more, and Sainte-Croix gives as high an estimate as 639,500. He adds to the number of the slaves one hundred thousand children, to an adult man or father of a family not four, but four and a half, so that the free population would thus be greater than the number above estimated. Since this ratio seems indeed to be more correct for southern countries, the number of the citizens, together with their wives and children, may appropriately be assumed to have been 94,500, that of the foreigners under the protection of the State to have been 45,000. In order, however, to take as the basis of the estimation, not merely the time of Demetrius, but the medium average of twenty thousand citizens, I estimate the number of the citizens, with their wives and children, to have been only ninety thousand, and that of the foreigners under the protection of the State, to have been 45,000. With regard to the number of the slaves given by Ctesicles, it is altogether too round a number. The narrator doubtless assumed the fourth hundred thousand as complete, no matter how many thousands it may have lacked. It will suffice to estimate the number of the slaves, including women and children, at 365,000. Fewer female slaves were employed than males, and, consequently, the number of children was proportionably less. If the number of adult male slaves be estimated to have been 210,000, there remain, according to the conclusion which I have adopted above, 155,000 as the number of the women and children. Add to this 135,000, the number of the free population, and the result is, as the average number of the whole population, in round numbers, five hundred thousand souls, the majority of whom were males.

The relation of the free population to the slaves may therefore be assumed to have been 27 : 100, or about 1 : 4. In the American sugar plantations it has been even as high as one to six. This number of slaves cannot be deemed too great, when we consider the customs of the inhabitants of Attica. Even the

poorer citizen used to have a slave to take care of his domestic concerns.<sup>1</sup> In every household of but moderate means and extent, many were needed for all sorts of services, as grinding, baking, cooking, the making of clothes, running of errands, attending upon the gentlemen and ladies of the house, who seldom went out unaccompanied by servants. He who wished to live high, and to assume an air of importance, took at least three attendants with him.<sup>2</sup> Even philosophers are mentioned who kept ten slaves.<sup>3</sup> Slaves were also let out as hired servants. They attended to the breeding of cattle, and to the cultivation of the soil; to mining, and to the smelting of ores. They pursued all sorts of trades and manual occupations. The day laborers were for the most part of this class. Whole gangs worked in the numerous workshops for which Athens was distinguished. A great number were employed upon the trading vessels, and in the fleets of vessels of war. To pass by the examples of those who had a smaller number of slaves, Timarchus had in his workshops eleven or twelve,<sup>4</sup> the father of Demosthenes fifty-two or fifty-three, without including the female slaves of his house,<sup>5</sup> Lysias and Polemarchus 120.<sup>6</sup> Plato expressly remarks that a freeman frequently possessed fifty slaves, wealthy men even a larger number.<sup>7</sup> Philemonides, however, had three hundred, Hipponicus six hundred, Nicias, in the mines alone, one thousand.<sup>8</sup> These facts indicate a large number of slaves. Hume makes an objection against this from Xenophon. Xeno-

<sup>1</sup> Compare, for example, the beginning of the *Plutus* of Aristophanes.

<sup>2</sup> Demosthenes for Phormio, p. 958, 14.

<sup>3</sup> Ste. Croix, p. 172.

<sup>4</sup> *Æschines* against Timarchus, p. 118. Among these were from nine to ten shoemakers, a woman who wove fine cloths and took them to market, and a weaver of divers colors (*ποικιλτής*). An artisan of the latter description was called in later times *πλουμάρως* (*plumarius*). See Muratori *Thes. Inscr.* Vol. II. p. DCCCCVI. 13, and again p. DCCCCXXIV. 11, together with his treatise de *textrina* in the *Ant. Ital.*; Pollux, VII. 34, 35, and the commentators; Schol. *Æsch.* p. 730; Reisk. *Lex. Seg.* p. 295. Such manufacturing upon a small scale was frequent in Athens. That of the *σακχυνφάνται*, or makers of nets for the head, (Pollux, X. 192, gives an erroneous interpretation of the word in *Lex. Seg.* p. 302), and that of the *φαρμακοτρίβαι* in Demosth. against Olympiod. p. 1170, 27, were doubtless of the same kind.

<sup>5</sup> Demosth. against Aphobos, I. p. 816. Compare p. 828, 1.

<sup>6</sup> Lysias against Eratosthenes, p. 395.

<sup>7</sup> De Republica, IX. p. 578 D. E.

<sup>8</sup> Xen. concern. the Pub. Revenues, 4.



phon proposed to the state<sup>1</sup> to buy public slaves for the mines, and showed in particular how much income the state would derive from them, if it had at first no more than ten thousand of them. He remarks, "but that they (that is, the mines) can receive many times that number, he will attest, who, it may be, still remembers how much the tax on slaves produced before the occurrences at Decelea." From this, the above-cited author infers, that the number of the slaves could not have been so astonishingly large, since the decrease, through the war of Decelea, amounted to only twenty thousand,<sup>2</sup> and the addition of ten thousand bore no considerable proportion to the great number of four hundred thousand. It must be recollected, however, that after the Decelean war, the keeping of many slaves ceased, on account of the facility of escape; that a greater number than that of those who ran away may have been dismissed; and that even Xenophon himself says that the number was formerly very great, and means that the multitude of the same, before the Decelean war, shows that the mines, of which alone he is treating, could employ many times ten thousand. I will not deny, however, that the passage sounds strangely, and is very obscure: for which reason less reliance can be placed upon it. Still more inconceivable are two other accounts, also doubted by Hume, that of Timaeus that Corinth, and that of Aristotle that Ægina, once had, the former 460,000 and the latter 470,000 slaves.<sup>3</sup> The numbers do not seem at all vitiated. I think it very probable, however, that they are exaggerated. But that the Corinthians kept a very large number of slaves, the term by which they were once designated by the Pythian priestess, namely, those who measure by the Chœnix, shows. Ægina, whose immediate territory, the island, consisted of barely two Prussian (thirty-two English) square miles,<sup>4</sup> could not, before the Persian wars, and during the same until its overthrow, possibly have been a great

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<sup>1</sup> Xen. concerning the Pub. Revenues, 4.

<sup>2</sup> Thucyd. VII. 27.

<sup>3</sup> Athen. VI. p. 272, B. D.; Schol. Pind. Olymp. VIII. 30, in the common method of numbering the verses.

<sup>4</sup> Here, as well as at the commencement and end of the chapter, geographical square miles are intended. I prefer to use the term Prussian instead of German, because the author is a Prussian, although the geographical mile is the same in Prussia as that of most of the other German States. — (Tr.)

commercial city and important naval power, without a considerable population, and particularly, without many slaves. Its ascendancy at sea, and powerful opposition against Athens, are inconceivable without a numerous population. Ægina, as well as the Peloponnesus,<sup>1</sup> particularly the city of Corinth, received supplies from the countries lying on the Black Sea. It hardly needs to be remarked, however, that a considerable population of Corinth and Ægina can be assumed to have existed only in the earlier times, before Athens had monopolized the supremacy at sea, and commerce with it.

In what manner this multitude of inhabitants, five hundred thousand souls, were distributed in Attica, cannot with accuracy be determined. Athens itself contained more than ten thousand houses. As a general rule only one family inhabited a house, and fourteen free persons were in one family or house a great number.<sup>2</sup> But many families lived in hired houses, and manufactories contained even whole hundreds of slaves. The mining district must also have been extraordinarily populous.<sup>3</sup> The circuit of the city, and of the cities of the harbor was, according to Diogenes of Sinope; as quoted by Dio Chrysostomos, two hundred stadia, according to Aristides a day's journey.<sup>4</sup> The estimation from the circuit of the walls, gives, however, only 148 stadia, and it does not appear that any part of the circuit above mentioned was not walled, although it might seem so according to the latest investigations respecting the harbor and walls of Athens by Ulrichs. The mines are in a space of sixty stadia in width; its length is not known. If we estimate for the city and harbor 180,000, for the narrow mining district sixty thousand souls, and the area of both at three Prussian (forty-eight English) square miles, it will not be too much. There remain, therefore, upon the supposition of an area for the whole country of forty Prussian (640 English) square miles, for the

<sup>1</sup> Herodot. VII. 147, and from him Polyænus in the "Strategemata."

<sup>2</sup> Xenoph. Mem. Socr. II. 7, 2.

<sup>3</sup> Respecting the great number of slaves in the mines, compare Athen. VI. p. 272 E., a passage which does not so much contain a distinct historical testimony, as rather a reflection. That, however, a very great multitude labored in the mines, cannot be disputed. Compare the passage of Hyperides above cited.

<sup>4</sup> Dio Chrys. VI. p. 199, Reisk; Aristides Panath. p. 187, Jebb.

other thirty-seven Prussian (592 English) square miles, 260,000 souls, a little more than seven thousand to the Prussian ( $439\frac{7}{7}$  to the English) square mile. This, considering the great number of small cities, towns, villages, and hamlets, in part undoubtedly very populous, which were in Attica, is not surprising. If we add to our estimation of the area of the whole country seven Prussian (112 English) square miles more, it would give to the Prussian square mile, with the exception of the above-mentioned districts, only 5,909 souls, (to the English square mile,  $369\frac{7}{2}$  souls). But this population would certainly require a large amount of the necessaries of life. It must not be forgotten, however, that slaves were but poorly supplied with food, and that the importation of grain only was particularly requisite. But how much grain was required, I will endeavor to determine in another place.

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## CHAPTER VIII.

### AGRICULTURE, MANUFACTURES, AND TRADES.

ALL the necessaries of life are procured either by native production and manufacture, or from commerce. Attica was not so ill-adapted to tillage as many suppose. The soil was indeed stony in many places, and uneven, and many a spot rocky, where nothing could be sown. But even the poor land produced at least barley,<sup>1</sup> not so easily wheat; and the mildness of the climate caused all valuable fruits to ripen first, and to yield the longest in Attica.<sup>2</sup> All sorts of plants and cattle thrive in spite of the poverty of the soil.<sup>3</sup> Art, without doubt, did its part, since the ancients, in all things relating to common life, had sound principles well adapted to practice; and even in the time

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<sup>1</sup> Thucyd. I. 2, where the commentators cite more passages respecting the poverty of the soil. On this subject see particularly Xen. Concern. the Pub. Revenues, in the introduction.

<sup>2</sup> Xen. in the same place.

<sup>3</sup> Plato, Critias, p. 110 E.

of Socrates there were writers upon the subject of agriculture.<sup>1</sup> Many Athenians lived the most of the time in the country; and the cultivation of the soil, to judge from the praise bestowed upon it by Xenophon and others, though not perhaps direct manual labor applied to it, was honored as well by the Athenians as by the Romans.<sup>2</sup> Aristotle, or Theophrastus, calls an agricultural people the most just. Agriculture is represented to be the most just and natural employment. The most just, since its gains are not derived from men, neither with their consent, as in service for hire and in commerce, nor against their consent, as in war. The most natural, since every creature is nourished by its mother, and the earth is the mother of men. Finally, the ancients praise agriculture because it makes body and soul strong and vigorous, and adapted to war, while most trades and commerce weaken and enervate. The opulent employed themselves in superintending the labors of the workmen. The most of the work devolved upon the slaves, who were laborers, often also stewards or managers. The cost of tillage was thus lessened, whatever the moderns may object against the cheapness of slave labor. Thus his fields sufficiently maintained the agriculturist. When prices were high, he even became rich.<sup>3</sup> The most considerable produce was that of wine, olives, figs, and honey. The wine raised in other countries was indeed better, but the oil and honey,<sup>4</sup> the last, particularly in the mining district,<sup>5</sup> and especially upon Mount Hymettus, were most excellent. The figs also were highly prized. Considerable attention is still bestowed at the present day in Attica upon the rearing of bees. Of olive trees whole forests are found. The wine is considered wholesome.<sup>6</sup> The state passed laws that these productions of the soil might not be diminished in number or quantity, nor one person be damaged by another in the raising of the same. Hence the ordinances of Solon with regard to the rearing

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<sup>1</sup> See my preface to the Dialogues of Simon the Disciple of Socrates, p. XIX.

<sup>2</sup> Xenoph. (Econ. 4 sqq.; Aristot. Polit. VI. 4, and the first book of the (Economy of Aristotle, or Theophrastus, cap. 2.

<sup>3</sup> Speech against Phœnippus, p. 1045, 12.

<sup>4</sup> Spurious letter ascribed to Æschines, 5.

<sup>5</sup> Strabo, IX. p. 399.

<sup>6</sup> See Wheeler, Chandler, and other travellers. With regard to oil, compare Meursius Fort. Att. cap. X.



of bees.<sup>1</sup> Hence no olive stock could be dug up, except for public festivals, or two annually by each proprietor for his own use, or for a funeral.<sup>2</sup> Some of these articles were exported. It is true that, according to Plutarch,<sup>3</sup> Solon forbid all exportation of the productions of the soil, and invoked a curse upon it, which the Archon had to pronounce, or pay a fine of a hundred drachmas. This prohibition was contained, according to him, in the first table of Solon's laws. But fortunately this author immediately contradicts himself, when he considers the notorious prohibition of the exportation of figs as only probable. Oil alone, as he himself remarks, was allowed to be exported by Solon. And one example shows the freedom with which the exportation of oil was allowed,<sup>4</sup> at least under certain conditions and restrictions. With regard to it, we have extant, in the laws of Hadrian for Athens, the particulars more definitely specified.<sup>5</sup>

<sup>1</sup> Petit. Leg. Att. V. I. 6.

<sup>2</sup> Demosth. against Macart. p. 1074.

<sup>3</sup> Solon, 24. Compare the same author at the end of the Treatise de Curiositate, where the prohibition of the exportation of figs is used only for the interpretation of the word *συκοφάντης*.

<sup>4</sup> Plutarch in the Life of Solon, 2, says, upon the authority of others: *Πλάτωνι τῆς ἀποδημίας ἐφοδίον ἐλαίου τινὸς ἐν Αἰγύπτῳ διάθεσιν γενέσθαι*. Even if Plato's journey to Egypt were a fiction, the evidence afforded by this passage would still remain valid. But the doubts in respect to this journey have no other foundation than a mere whim. If any one is surprised that Plato dealt in oil, let him examine the passage from Plutarch more closely, and recollect the customs of antiquity, and all surprise will cease. Plato must have money for his journey into Egypt. For this purpose he sold, probably in Athens, oil from his own estate to a merchant who wished to export it to Egypt. But the money was to be paid in Egypt, and remained until the vessel arrived there, lent out on interest upon the security of the cargo, *ἐτερόπλουν*. Compare below, chapter 23. Plato went, of course, in the same ship in which the goods, which were his security, were conveyed, and received the money after the merchant had sold his goods. Petit. Leg. Att. V. 5, 1, absurdly confines the permission to export oil to the jugs filled with oil which were given to the victors in the Panathenæan games. The Scholiast Pind. Nem. X. 64, says, indeed: *οὐκ ἔστι δὲ ἐξαγωγὴ ἐλαίου ἐξ Ἀθηνῶν, εἰ μὴ τοῖς νικῶσι*. In this may be contained the truth, that the exportation was not unrestrained, and that the victors, for the oil which they had gained, were allowed free exportation. The prizes, however, consisted not merely in a jug full of oil for each victor, but from six to one hundred and forty amphoræ of oil were given (Inscript. in the Ephem. Archæol. No. 136).

<sup>5</sup> C. I. Gr. No. 355. By these laws, the cultivators of the olive were obliged to sell a third of the oil produced, or from certain estates an eighth, to the state, to supply its need. But when the produce was so great that the state did not need so much, a part of it was remitted. With regard to the sale for exportation (*τὸ πικρῶσκειν ἐπ' ἐξαγωγῇ*), and the exportation itself, more particular regulations were established. For an especial reason I have conjectured in C. I. Gr., that a restriction of that kind was more ancient than the laws of Hadrian.

With regard to the prohibition of the exportation of figs, I am fully convinced that it did not exist during those periods of which we have reliable information. What is contained in ancient authors respecting it, is always used only to explain the origin of the epithet sycophant. Plutarch himself ventures, at the most, to assume it of only the earliest periods. If the ancients had a reliable account of such a law, they would not have expressed themselves so indefinitely respecting the origin of the above-mentioned epithet. If such a prohibition ever existed, it was not for the reason which Hume<sup>1</sup> jestingly supposed, namely, because the Athenians thought that their figs were too luscious for the palates of foreigners, although Istros in Athenæus<sup>2</sup> expresses himself very nearly to that effect. But the object of it was to increase the production of figs in the most ancient periods, when they were as yet very scarce. This view of the subject may be derived from passages of the scholiast upon Plato,<sup>3</sup> and of other grammarians, in which the origin of the epithet sycophant is assigned to a period when this, in Attica, most excellent fruit was first discovered there. But much more probable is the account, that in a famine some sacred fig trees were robbed of their fruit, and that, after better times had returned, accusations were brought against those who had committed the sacrilege.<sup>4</sup> Just as against those who had laid hands on the sacred olive trees, grave charges could be brought. Of this Lysias, in his oration concerning the sacred olive tree, presents a remarkable example. But apart from the idea of sacrilege in relation to sacred fig trees, the epithet may have had its

<sup>1</sup> Ut sup. p. 81.

<sup>2</sup> III. p. 74 E. The passage of Istros in his Atthis, from which Athenæus quotes the common explanation of the word *συκοφάντης*, appears to be the principal source of this explanation, which has been often repeated by later writers. See, beside the passages from Plutarch, Life of Solon, 24, and de Curiositate near the end, hereafter cited with a particular reference, Lex. Seg. p. 304.

<sup>3</sup> P. 147; Ruhnck. Photius, and Suidas on the word *συκοφαντεῖν*, Etym. M. on the word *συκοφαντία*. Schol. Aristoph. Plut. 874, also indirectly harmonizes with this view.

<sup>4</sup> Schol. Aristoph. Plut. 31, and from the same, Suidas on the word *συκοφάντης*. From a famine is also the origin of the word *ἀλιτήριος* derived, but unsatisfactorily, however. See Plutarch de Curiositate, near the end: Λιμοῦ γὰρ ὥς ἔοικεν Ἀθηναίοις ἰσχυροῦ γενομένου, καὶ τῶν ἔχόντων πυρὸν εἰς μέσον οὐ φερόντων, ἀλλὰ κρύφα καὶ νύκτωρ ἐν ταῖς οἰκίαις ἀλοῦντων, περιϋόντες ἐτήρουν τῶν μύλων τὸν ψόφον, εἰτ' ἀλιτήριοι προσηγορεύθησαν. To these persons the coffee smellers, in the reign of Frederic the Great, form a very close parallel.

origin from the fact that, on account of the severity of the punishment menaced against the theft of fruit, information against such small offences as the stealing of figs was considered mean and malicious.<sup>1</sup> The idea of a prohibition to export figs is not admissible. It cannot be shown that there was any other prohibition of exportation, except in relation to articles in which the state was deficient, as grain and some other staple commodities; excepting also that, as in the case of oil, the wants of the state had first to be supplied, and hence, in such cases, the free exportation was allowed for only a part of the article produced. The breeding of cattle, and of other animals pertaining to husbandry, certainly occupied no inconsiderable share of attention among the inhabitants of Attica. Of these animals, sheep and goats were the most numerous. From the latter even one of the four ancient tribes, *Αἰγιοχεύς*, received its name; of the former there were various breeds, particularly fine-wooled sheep.<sup>2</sup> To favor the increase of sheep and of wool, it was forbidden by a very ancient law to slaughter sheep before they had lambed, or had been shorn.<sup>3</sup> But this, and other similar ordinances, had been, long before Solon's time, repealed. Swine were also reared, and of larger animals, asses and mules in considerable numbers. Horses and horned cattle were, it is evident, in the earlier ages, scarce. Philochorus<sup>4</sup> mentions a very ancient law forbidding to slaughter the latter. The scarcity of horses is evident from the insignificance of the Athenian cavalry in the first stages of its formation. According to the regulations relating to the Naucrari, it consisted of only from ninety-six to a

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<sup>1</sup> To this effect is the explanation of Festus (p. 302, Müller), which, in the quotation of Paulus, is to the following purport: Atticos quondam juvenes solitos aiunt in hortos irrumpere ficosque deligere. Quam ob causam lege est constitutum, ut qui id fecisset capite truncaretur, quam poenam qui prosequerentur ob parvola detrimenta, sycophantas appellatos. It may serve for explanation that, according to Alciphron, III. 40, Draco and Solon had appointed the punishment of death for the stealing of grapes. Compare, respecting Draco in this particular, Plutarch Sol. 17. Dacier's not improbable explanation of the gloss of Festus, "Halapanta, as ἄλοφαντης," may also be compared. See p. 448 of the Com. in the edition of Lindemann.

<sup>2</sup> Demosthenes against Euergus, and Mnesib. p. 1155, 3, or whoever may have been the author of this speech, suspected of spuriousness by the ancients, (see Harpocr. on the word ἡτημένην,) Athen. XII. p. 540 D.

<sup>3</sup> Androton in Athen. IX. p. 375 C.; Philochorus, in the same author, I. p. 9, C. Petit, V. 3, has collected more of similar ancient laws.

<sup>4</sup> In Athen. IX. p. 375, C.



hundred men, and at the period of the battle of Marathon, did not even yet exist. In later times, both horses and oxen were kept in sufficient numbers. For the rearing of these animals, the Eubœan pastures presented special inducement. The forests furnished, for the most part, only firewood; for the building of ships it was necessary to import timber. The fisheries were amply productive. The mines afforded, beside silver, lead, metallic colors, coloring earths, perhaps also copper; and all the products of the smelting works in Attica were highly valued. The stone quarries furnished the most beautiful kinds of marble, the Pentelian and Hemettian, for which there was a demand even in foreign countries.<sup>1</sup>

Traffic, and the mechanical trades were, anciently, never much esteemed in Greece: least of all, however, in states in which an aristocratic, or oligarchal form of government prevailed. A man of the ancient nobility would never have condescended to engage in them, although on the contrary, a manufacturer could elevate himself to the helm of state, as Cleon, for example, Hyperbolus, and others of the same sort. The more ancient statesmen, however, especially Solon, Themistocles, and Pericles, favored industry in trade, commerce, and the mechanic arts. The last encouraged it the most, partly in order that the lower class might be better supplied with food, partly that the city through it might become more populous, that commerce might increase, and that the large fleet by which it was designed, since the time of Themistocles, to rule the sea, might be manned.<sup>2</sup> For these purposes the aliens, who lived at Athens under the protection of the state, were indispensable<sup>3</sup> to that city, since they in an especial manner practised the mechanic arts, and carried on trade and commerce, and were bound to serve on board the ships of war. The respectable citizen, who had not the pride of nobility of a Pericles, an Alcibiades, or a Callias, the son of Hipponicus, was

<sup>1</sup> Comp. Xenoph. concern. the Pub. Rev.

<sup>2</sup> The proofs of this are everywhere found. Diodorus, XI. 43, in particular, very clearly expresses himself in respect to Themistocles. What Pericles accomplished in this respect, by his encouragement of the fine arts, is astonishing, and is well exhibited by Plutarch, Pericles, 12. Compare Letronne respecting the painting of walls, p. 470 sqq.

<sup>3</sup> Treatise concerning the Athenian State in the works of Xenophon, 4, 12. I give in Book III. 5, of this work, my present view respecting the author of this treatise.



not ashamed of a large manufacturing business, prosecuted on his account. The more humble citizen was compelled by his circumstances, as well as the poor foreigner under the protection of the state, and the slave, to engage in manual labor. None but a political visionary, or visionary politician, like Phaleas of Chalcidon, who would have equality of property among citizens, and first of all in landed property, could have devised the plan, that the mechanic, and other trades in the state should be prosecuted altogether by persons employed by the state. This reminds one of the public workshops proposed in our day. It is a measure not democratic, but much rather aristocratic. In connection with this, Aristotle mentions a plan,<sup>1</sup> which was proposed in Athens, we know not when, by Diophantus. It is not clear, however, whether according to the plan of Diophantus, all artisans and workmen were to be directly employed, as public servants, by the state, or only those who worked for the commonwealth. But it seems to me the more probable opinion, that it was the latter only. Moreover, a limitation of the freedom of trade is the less conceivable, since the trades seem to have been considered of little consequence. Every alien under the protection of the state could practise one or more trades, although he could possess no landed property. Only in respect to selling in the market were the aliens less favored than the citizens, since they were obliged to pay a tax for permission to exercise the privilege. The law of Solon that men should not deal in ointments,<sup>2</sup> had merely propriety in view, namely, to keep men from engaging in employments appropriate to women. In later times it was not observed. Æschines the philosopher, was proprietor of a manufactory of ointments. With this perfect freedom, with the great number of aliens under the protection of the state, and of slaves, and with the facilities for disposing of large quantities of goods in foreign countries through maritime commerce, and finally through the great demand of the home market, which was increased by the influx of foreign visitors and sojourners, all

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<sup>1</sup> Polit. II. 4, 13. Compare Petit. V. 6, 1. I have represented it as a plan merely : the expression *Διοφάντος κατεσκεύαζε* does not necessarily convey the idea of carrying into execution. Whether all workmen or only those who worked for the state are meant, depends upon the interpretation of the expression *τοὺς τὰ κοινὰ ἐργαζομένους*.

<sup>2</sup> Petit. V. 6, 3.

trades flourished, and Athens maintained a great number of manufactories, which employed a multitude of workmen. Athenian weapons and other articles of hardware, implements, utensils, furniture, and cloths, were famed for their excellence. Tanners, armorers, lamp-makers, clothiers, even millers and bakers who were highly skilled in their art, lived in abundance.<sup>1</sup> With regard to the prices of commodities, it might be supposed that they were proportionably very low, since the workmen, in part even the overseers, were slaves, the wages were not very high, and there was complete freedom of trade. But the extensive exportation, on the other hand, as also the high rate of interest, and the great profit of the manufacturers, merchants, and others engaged in commerce, which was accommodated to those circumstances, enhanced the prices. Many articles, moreover, as bread, and clothing, were provided in many families by their own labor.

## CHAPTER IX.

### COMMERCE.

WHAT Attica itself did not produce it received through commerce, and it could not, except in the most extraordinary emergencies, as when war, for example, checked importation, be distressed for want of necessary supplies; for it could obtain them from the abundance of other lands. Its situation on the sea secured them to it, even during a time of scarcity, since scarcity could not occur everywhere at the same time, and it is only the countries remote from the sea, which in times of light harvests cannot be supplied with grain.<sup>2</sup> Although not an island it has all the advantages of one, well-situated and commodious harbors, in which with all winds it can receive its supplies, and beside

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<sup>1</sup> To cite only a single passage, see Xenoph. Mem. Socr. II. 7, 3-6. Concerning the exportation of manufactures, Wolf on Leptin. p. 252 may be perused.

<sup>2</sup> See the treatise on the Athenian State in Xenophon's works, 2, 6.

these, conveniency also for inland commerce. The purity of the coin promoted traffic: the merchant was not compelled to take back freight on his return voyage, although there was no lack of articles for that purpose, but he could receive and export the value of his cargo in ready money.<sup>1</sup> For prohibitions to export money were unknown in ancient times, and, on account of the want of a system of exchange, inconceivable. If there was no check to commerce through naval warfare and privateering, all sorts of commodities, grown or produced in foreign lands, were brought to Athens. Here the use of foreign, as well as of native productions could be enjoyed. Those articles, which in other lands could scarcely be obtained singly, were in the Piræus found together.<sup>2</sup> Beside grain, choice wines, iron, brass, and other staple commodities from all the countries on the Mediterranean Sea, there were imported from the coasts of the Black Sea, slaves, ship timber, salted fish, honey, wax, pitch, wool, tackling and cordage for vessels, leather, goat skins; from Byzantium, Thrace, and Macedonia, also timber, slaves, and salted fish; slaves, moreover, from Thessaly, to which country they came from the interior; and fine wool and carpets from Phrygia and Miletus.<sup>3</sup> "All the sweet productions of Sicily," says a highly cultivated statesman,<sup>4</sup> "Italy, Cyprus, Lydia, Pontus, Peloponnesus, are collected by Athens through her maritime supremacy." To this extensive commerce, the same author attributes the mixture of languages in all known dialects which there prevailed, and the barbarous words introduced into the usage of common life. In return for these importations, Athens exported to those countries articles of its own produce and manufacture. The Athenians also exchanged commodities which they had procured from other countries. Thus they received, at the islands, and on the coasts of the Ægean Sea, at Peparethos, Cos, Thasus, Mende, Scione, and other places, cargoes of wine, which were conveyed to Pontus.<sup>5</sup> The book trade only was not so extensive in Greece, as it was in

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<sup>1</sup> Xenoph. concerning the Pub. Revenues, 1, 3.

<sup>2</sup> Thucyd. II. 38; Isocr. Panegy. p. 64 of the Halle ed.

<sup>3</sup> See respecting the most of these articles, Barthél. Anarch. Vol. IV. chap. 55; Wolf on Leptin. p. 252.

<sup>4</sup> On the Athenian State, 2, 7.

<sup>5</sup> Demosth. against Lacrit. p. 935, 6.

the Roman empire. The Greeks, like the Romans, kept educated domestic slaves, whom they could employ in copying manuscripts. Thus Philoxenus, the dithyrambic poet, was, in the earlier part of his life, the slave of Melanippides the younger: Euclides, according to the *Theatetus* of Plato, causes a philosophical discourse to be read by a slave: Rhianus the poet, the wise Æsop, were at first slaves.<sup>1</sup> I omit other examples. It is certain, however, that there were dealers in books. In the time of Socrates there must have been books offered for sale in the orchestra of the theatre of Bacchus, of course, at a time when there was no dramatic representation. Here the books of Anaxagoras, when the price was high, were to be had for a drachma.<sup>2</sup> The life of the stoic Zeno<sup>3</sup> gives a later example of bookselling at Athens. As early as the time of Eupolis, there was a book-mart (τὰ βιβλία)<sup>4</sup> in Athens. But it is very much to be doubted, whether written books were there sold, since the orchestra can hardly be designated by the above expression, but rather a particular spot in the great and principal market-place of the city. The names, book-seller and book-writer (βιβλιοπώλης and βιβλιογράφοι) in the ancient comic authors, the necessity of books for the purpose of instruction, the existence of small collections of books,<sup>5</sup> are no proofs of an extensive book trade: that there was a traffic in books on a small scale I do not intend to deny. Still less is an extensive book trade with foreign countries to be supposed. From this it by no means follows that Greek books were not sent into foreign countries, but only, not exactly in the way of an organized book trade. The tragedies and songs of Euripides must have been very rare in Sicily, since, after the defeat of the Athenian army, many Athenians saved themselves by the rehearsal of short pas-

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<sup>1</sup> Becker, *Charicles*, Vol. I. p. 210, says on the contrary: "This class, namely, that of liberally educated servants (*librarii*), was not kept in Grecian houses. Slaves were used by the Greeks only for material purposes." When the same author asserts that I sought to banish all idea of bookselling in the times of Plato, the assertion is not precisely accurate.

<sup>2</sup> This is the meaning of the generally misunderstood passage of Plato's *Apol.* p. 26. D. E.

<sup>3</sup> *Diog. L.* VII. 2.

<sup>4</sup> *Pollux*, IX. 47.

<sup>5</sup> Respecting these particulars, see Becker as above.



sages from them: for the Sicilians loved the poetry of Euripides.<sup>1</sup> In Salmydessus, Xenophon<sup>2</sup> found, together with couches, boxes, and other things which the masters of vessels (*ναυκλήται*) were wont to carry with them in wooden chests, also many books (*βιβλοί*). All these articles had belonged to vessels which were bound to Pontus, but had been wrecked at the above-mentioned place. In some manuscripts they are called written books (*βιβλοί γεγραμμένα*). But this addition is very suspicious: and it is difficult to believe that the masters of vessels carried with them many written books to Pontus. It may with much more probability be presumed that they exported blank books in large quantities, as a manufactured article. A trade in books with foreign countries (*ἐμπορία*) was, in Plato's times, so remarkable, that Hermodorus, who at that time sold the works of that author in Sicily, gave occasion to the saying, "Hermodorus trades in discourses."<sup>3</sup>

The intercourse by sea among the Hellenic States was very active, and the merchant-vessels appear to have been of considerable size. Not to cite extraordinary and later examples, we find a merchant-vessel mentioned in Demosthenes,<sup>4</sup> which, beside the cargo, slaves, and crew, carried more than three hundred freemen as passengers.

Athens had many regulations for the protection of trade, and for the administration of the police appertaining to it. For these purposes there were ten overseers of the emporium (*ἐπιμεληταὶ τοῦ ἐμπορίου*), appointed by lot;<sup>5</sup> the *agoranomi*, five in the city, and as many in the Piræus;<sup>6</sup> the *metronomi*, who had the

<sup>1</sup> Plutarch, Nicias, 29.

<sup>2</sup> *Expedit.* of Cyt. VII. 5, 14.

<sup>3</sup> Cic. Ep. ad Att. XIII. 21; Zenob. V. 6, and similar collections; and Suid. on the phrase *λόγοισιν Ἐρμώδωρος ἐμπορεύεται*.

<sup>4</sup> Against Phorm. p. 910, 12.

<sup>5</sup> Demosth. against Laerit. p. 941, 15; the speech against Theocrines, p. 1324, 10; Dinarch. against Aristog. p. 81, 82; Harpoer. on the phrase *ἐπιμελητῆς ἐμπορίου*; Suid. on the word *ἐπιμεληταί*; Lex. Seg. p. 255; Sigonius, IV. 3, on the Political Institutions of the Athenians.

<sup>6</sup> Harpoer. on the word *ἀγοράνομοι* gives this number from Aristotle. The reading is confirmed by Bekker's accurate edition. The deviation in the corrupt edition of Blancard, according to which there were fifteen in the city, deserves no regard. Compare C. I. Gr. Vol. I. p. 337, b. In the times of the Roman Emperors there is mention of only two *agoranomi* at Athens (C. I. Gr. No. 313).

inspection of measures to ascertain their correctness. Of these last there were in my opinion ten in the city, and five in the Piræus;<sup>1</sup> and to them the Prometretæ, who measured the grain and other seminal products for an established fee, were subordinate.<sup>2</sup> In general great care was taken with regard to the accuracy of weights and measures. I have communicated a valuable fragment of a decree of the people relating to that subject, in the supplements to this work.<sup>3</sup> There was but little confidence prevalent in Greece in relation to matters of business, yet there were, in all Hellenic countries, great mercantile and banking houses in good credit, who could receive money on their bills.<sup>4</sup> Merchants in certain cities, as for example those of Phaselis, were in bad repute as unworthy of confidence.<sup>5</sup> Good security, which, according to Athenian laws was valid for the term of a year, supplied the failure of credit.<sup>6</sup> The severity, also, of the laws respecting debt, was conducive to the maintenance of credit; for its importance, both to commerce and domestic industry, did not

<sup>1</sup> In all the editions of Harpocration, except the corrupt one of Blancard, which gives twenty as the whole number, and fifteen as the number of those in the city, the reading is as follows: ἦσαν δὲ τὸν ἀριθμὸν πεντεκαίδεκα, εἰς μὲν τὸν Πειραιᾷ δέκα, πέντε δ' εἰς ἄστυ. Bekker has also given the same reading from the manuscripts, but so that the numbers are designated only by the characters ιε', ι', and ε'. The manuscript D, however, has ἡ μὲν εἰς Πειραιᾷ, θ' δὲ εἰς ἄστυ, which reading has also been admitted into Suidas. Photius has in the two articles respecting the metronomi δέκα τὸν ἀριθμὸν (or τὸν ἀριθμὸν δέκα or τὸν ἀριθμὸν ιθ'), ὧν (also without ὧν) πέντε μὲν ἐν ἄστει, πέντε δὲ ἐν Πειραιῇ, and also πέντε μὲν εἰς Πειραιᾷ, ἐννέα δὲ εἰς ἄστυ; Lex. Seg. p. 278 δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἦσαν ἐν τῷ Πειραιῇ, πέντε δὲ ἐν ἄστει. The whole number is fifteen in Harpocr. in the text of Bekker, which is certainly the most reliable, and it is more probable, that the reading of Harpocr. is correct in reference to the whole number, than that in Phot.; since it is the more remarkable, and an uncommon reading. Whether five should be assigned to the Piræus and ten to the city, or the reverse, is another question. Below, in Chap. 15, I have decided, that there were also fifteen sitophylaces, and indeed five in the Piræus, ten in the city. Analogically with this, therefore, I venture to write in Harpocration: εἰς μὲν τὸν Πειραιᾷ πέντε, δέκα δ' εἰς ἄστυ. It might, it is true, be said, that there may have been in both places five metronomi, as there were five agoranomi. But, as I have already remarked, the whole number fifteen has the presumption of correctness against the whole number ten.

<sup>2</sup> Harpocr. on the word *προμετρηταί*, Lex. Seg. p. 290, and elsewhere.

<sup>3</sup> Beilage XIX. Böckh's Staatsh. d. Athen. Vol. II.

<sup>4</sup> Demosth. against Polycl. p. 1224, 3.

<sup>5</sup> Demosth. against Lacrit. in the beginning.

<sup>6</sup> Demosth. against Apatur. p. 901, 7.

escape the notice of the Athenians.<sup>1</sup> "In the Athenian laws," says Demosthenes, "are many well-devised securities for the protection of the creditor; for commerce proceeds, not from the borrowers, but from the lenders; without whom no vessel, no navigator, no traveller could depart from port." Even a citizen, who, in the capacity of a merchant, fraudulently deprived his creditor of a pledge given upon a sum lent upon bottomry, could be punished with the loss of life.<sup>2</sup> Not less severe were the ordinances against false accusers of merchants and shipmasters.<sup>3</sup> Their litigations, in early times, belonged to the jurisdiction of the *nautodicæ*,<sup>4</sup> either as presidents of the court, or as judges. In later times the duty of bringing these controversies to trial in the courts, unquestionably belonged to the *thesmothetæ*. In litigations between citizens of different states there was allowed, in pursuance of special treaties to that effect, a removal of the causes from the one state to the other.<sup>5</sup> As early as the times of Lysias, the *nautodicæ*, having been appointed by lot, assembled in the month Gamelion, for the purpose of holding a session for the trial of causes. Their sessions were held during the winter season, when there was a cessation of navigation,<sup>6</sup> in order that the merchants and shipmasters might not be interrupted in the prosecution of their business. As advantageous as this arrangement was, yet all the disadvantages to the litigants were not removed by it. For if the cause was not decided during the course of the winter, either the parties were obliged to continue the same during the summer, to the detriment of their business, or the suit was deferred to the

<sup>1</sup> Demosth. for Phorm. p. 958.

<sup>2</sup> Demosth. against Phorm. p. 922. Dilatory debtors were also liable to imprisonment, but only where the debts arose from commercial transactions. See Hudtwalker v. d. Diät. p. 152 seq.

<sup>3</sup> Speech against Theocrines, p. 1324, 1325. Compare Book III. 10 of the present work.

<sup>4</sup> Respecting these see Sigonius R. A. IV. 3; Petit. V. 5, 9; Matthiæ Misc. Philol. Vol. I. p. 247; Att. Process by Meier and Schönemann, p. 88 sqq.; Heffter die Athen. Gerichtsverf. p. 401, (compare p. 164); De Vries de fenore nautico, p. 103 sqq.; Baumstark de Curatoribus Emporii, et Nautodicis; Theod. Bergk. Zeitschrift f. Alt. Wiss. 1845, No. 119; Schömann Antt. Jur. Publ. Gr. p. 268. It is remarkable that in early times they also opened the proceedings in the process called *γραφὴ ξενίας*.

<sup>5</sup> These are the *δίκαι ἀπὸ συμβόλων*.

<sup>6</sup> Lysias *περὶ δημοσ. ὕδικ.* p. 593.

following winter, and then committed to other judges. Xenophon<sup>1</sup> proposed to offer a prize to the court of the Emporium for the quickest and most just decision of suits relating to commercial or mercantile transactions; and soon afterwards, in the time of Philip of Macedon,<sup>2</sup> this evil was actually obviated by the introduction of a regulation requiring the decision of certain processes within a month from their commencement (*ἐμμηνοὶ δίκαι*). To these belonged the suits relating to transactions in trade or commerce, to the *eranoi*, to dowry, and to the mines.<sup>3</sup> They were tried in the six winter months, in order that the seafaring men, speedily attaining their right, might enter upon their voyages.<sup>4</sup> A process could not, as some believe, be protracted through this whole period, but it was required that it should be decided within a month's term.<sup>5</sup>

Finally, the Greeks also tolerated a sort of consuls for commercial purposes in the person of the Proxenus of each state. It was his duty, in consequence of the public hospitality which he enjoyed, as voluntary *chargé d'affaires* of the same, to assist and protect his fellow-citizens, who were engaged in trade or commerce at the place of his residence. If, for example, a citizen of Heraclea died in a place, it was the duty of the Proxenus of Heraclea, by virtue of his office, to obtain information respecting the property which he had left.<sup>6</sup> In Argos, the Proxenus of Heraclea, when a citizen of the same was at the point of death, took possession of his property.<sup>7</sup>

Among the many propositions which Xenophon in his Treatise concerning the Revenues of the State, makes for the encouragement of commerce, there is nowhere found a suggestion to establish freedom of trade. Either this lay not within the horizon of

<sup>1</sup> Concern. the Pub. Rev. 3.

<sup>2</sup> See the speech respecting Halonesus, p. 79, 18 sqq.

<sup>3</sup> Pollux, VIII. 63, 101. Suidas on the phrase *ἐμμηνοὶ δίκαι* from Harpocr. on the same phrase; Lex. Seg. p. 237. I have shown in my treatise upon the silver mines of Laurion, in the Denkschr. d. Berl. Akad. d. Wiss. v. 1815, that this regulation applied also to controversies concerning transactions relating to mines.

<sup>4</sup> Demosth. against Apatur. p. 900, 3; Petit. V. 5, 9.

<sup>5</sup> See the speech respecting Halonesus; Lex. Seg. and Petit. as above; Salmasius de M. U. XVI. p. 691.

<sup>6</sup> Demosth. against Callip. p. 1237, 16.

<sup>7</sup> The same, p. 1238, 27.



antiquity, or it must have existed completely. Heeren maintains that the latter was nearly the fact.<sup>1</sup> "A balance of trade," he says, "and all the coercive measures proceeding from that idea, were not known. They levied duties, as well as we. But they had no other object, than to increase the revenue of the state; not, as among the moderns, by the exclusion of these or those commodities, to control and regulate the pursuits of the industrial classes. We find no interdicting the exportation of raw materials, no favoring of manufactures at the cost of the agricultural class. In this sense, therefore, there was freedom of trade, of commerce, and of intercourse. And this was the rule. There may indeed, where every thing was determined by circumstances, and not according to a preëstablished theory, particular exceptions, perhaps isolated examples, be found, where the state assumed to itself, for a time, a monopoly. But how far is it, however, from that to our mercantile and coercive system!" That there is much truth in this, I readily perceive; but the reverse side must also be shown. According to the principles which prevailed in the ancient times of which we are writing, and which were not only professed by scientific men, but also acknowledged by the body of the people, and which were deeply rooted in the nature of the Greeks, the state comprises, and controls all human relations. Not only in Crete, and Lacedæmon, two completely isolated states, unsusceptible of the freedom of trade, but everywhere in Greece, even in Athens, where freedom was enjoyed to excess, the poorest, as well as the richest citizen, was convinced, that the state could claim the property of every individual. Every restraint in relation to the exchanging of the same, regulated in accordance with the circumstances of the case, seemed just, and could not be considered a disparagement of the right of property, until the only object of the state was decided to be the security of persons and of property, an idea which never occurred to the ancients. On the contrary all trade and commerce were considered to be subject to the control of the community, because they first became possible by the assembling

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<sup>1</sup> Ideen über die Politik, den Verkehr, und den Handel der Völker der alten Welt. Vol. III. p. 233.

and living together of men in well-regulated societies. Hence proceeded the right of the state, both to regulate trade, as well as indeed, partially, itself to engross its advantages. He who dissented from these established principles belonged not to the state, and could withdraw. From this view arose the monopolies of the state, which appear to have been assumed not unfrequently, but not to have been long continued. Their profitability had been proved in the case of private persons, who had obtained monopolies by means of forestalling.<sup>1</sup> No free state, however, ever exacted from its citizens that they should raise or manufacture their commodities, for its monopoly, in allotted quantities, and at a fixed, low price; a measure of this nature can be adopted only in countries governed by tyrants. The monopoly in lead which Pythocles proposed to the Athenians, would have injured no miner, even if the proposition had been carried into execution. Those who were to furnish the lead, were to receive from the state the same price for which they had formerly sold it.<sup>2</sup> Just as harmless as this was the bank monopoly which the Byzantines sold in a time of pecuniary embarrassment to an individual.<sup>3</sup> More unjust may have been the conduct of the Selymbrians, who, to supply a deficiency in the finances, took possession of all the stores of grain, at a fixed price, with the exception of each individual's annual provision for his wants, and afterward sold it at a higher price, with freedom of export, which before had not been allowed.<sup>4</sup> But how many sorts of monopolies may there have been in Greece beside these! It was probably a principle of the states, in times of pecuniary embarrassment, to assume them.<sup>5</sup> Moreover, examples enough are found of states controlling exportation and importation, according to their own aims, and wants. This also is not exactly consistent with complete freedom of trade. Aristotle<sup>6</sup> presents five objects of public policy, as the most important, namely, the finances, war and peace, the defence of the country, importation and exportation, legislation. With regard to importation and

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<sup>1</sup> Compare Aristot. Polit. I. 11, Bekk.

<sup>2</sup> See above Chap. 6, near the end.

<sup>3</sup> See the second book of Aristotle's *Economics*, 2, 17.

<sup>4</sup> The same.

<sup>5</sup> Compare Aristot. Polit. I. 11.

<sup>6</sup> Rhetor. I. 4.

exportation, it must be ascertained what quantity of the necessities of life the state needs, what amount of them may be raised in the country or may be imported, and what importations and exportations the state requires, in order to make agreements and contracts with those who may be needed for these purposes. Commerce, therefore, was an object of public policy; whence many restraints, and, on the other hand, many concessions, must have arisen. If the exportation of all the products of the soil, except that of oil, was not prohibited by Solon,<sup>1</sup> yet he acknowledged, notwithstanding the liberality of his disposition, the admissibility of such prohibitions. And also the exportation of oil was probably not first regulated in the reign of Hadrian, but in more ancient times, in such a manner that a supply for the requirements of the state was first to be secured. The exporter was required to hand in his manifest (*ἀπογράφεσθαι*) of the oil which he was about to export, together with the names of those from whom he had obtained it, under penalty of its confiscation.<sup>2</sup> The exportation of grain was always forbidden in Attica.<sup>3</sup> Other states had certainly similar laws; as, for example, the Selymbrians in a time of scarcity prohibited the exportation of grain.<sup>4</sup> There were also many other commodities, the exportation of which was prohibited at Athens, (*ἀπόρρητα*), as timber for building, pitch, wax, cordage, flax, askomata; articles which were specially important for the building and equipping of the fleets.<sup>5</sup> It might indeed be supposed, that this prohibition existed only

<sup>1</sup> See Chap. 8th of the present book.

<sup>2</sup> C. I. Gr. No. 355.

<sup>3</sup> Ulpian on Demosth. ag. Timocr. p. 822.

<sup>4</sup> According to the 2d book of the *Œconomics* ascribed to Aristotle.

<sup>5</sup> See, with regard to this, Aristoph. *Frogs*, 365, 367, and the Schol. on the same, Spanheim on this passage, and Casaubon on Theophr. *Char.* 23. The prohibition of the exportation of ship timber may be assumed without express proof of it, since Attica was specially deficient in that article. The mention of the prohibition of the exportation of timber in Theophrastus, which stands connected with the mention of a permission granted to an individual of an exportation of the same, exempt from the payment of duty, improbable in respect to Athens, seems to relate to Macedonia. This supposition the connection allows, and suggests. Concerning the *ἀσκόματα* see the "Documents relating to the Athenian Marine," (*Urkunden vom Seewesen*), p. 106 sqq. The passage of Thom. M. on the word *θύλακος*, there omitted, gives no definite information.

against the Peloponnesians during the war.<sup>1</sup> But how often did Greece enjoy the blessings of peace? Even states which possessed timber in abundance, did not allow the exportation of the same unconditionally, but it was requisite that treaties, in which the conditions were prescribed with great precision should be negotiated for that purpose. Thus Amyntas II. of Macedonia allowed to the Chalcidians, by treaty, the exportation of pitch, and of all sorts of timber for building of houses, but of timber serviceable for ship-building, with the restriction that fir timber (*ἐλάτυνα*) should be exported for the use of the state alone, after a previous conference upon the subject by the representatives of the same with the king. The payment of the regular duties,<sup>2</sup> however, was required of the Chalcidians upon all these articles. Andocides, speaking of timber for oars, remarks,<sup>3</sup> that Archelaus, the king of Macedonia, had allowed him, on account of a friendship which he had contracted with his father through interchange of hospitality, to export as much as he pleased. There was, therefore, an express permission necessary for exportation. War of course occasioned necessary restrictions. The manufactories of weapons at Athens furnished many states their supplies. Hence, as a matter of course, laws were necessary against those who supplied the enemy with weapons: thus Timarchus procured the passage of a decree, that those who furnished to Philip weapons, or equipments for ships, should be punished with death.<sup>4</sup> Moreover, importation was also forbidden in time of war; as, for example, of Bœotian wicks; certainly not, as Casaubon from the jests of Aristophanes inferred,<sup>5</sup> because it was feared that houses would be set on fire with them by incendiaries, but because, as Aristophanes himself shows, in general, all importation from Bœotia was forbidden, in order to distress that country

<sup>1</sup> To which supposition Aristophanes also, as last cited, together with the Schol. on the same passage, and Aristoph. Knights, 278, lead.

<sup>2</sup> Olynthian Inscription at Vienna, in Arneth's description of the statues, etc., belonging to the Imperial Cabinet, (Vienna, 1846,) p. 41, examined by Sauppe, Inscriptt. Maced. quatuor, p. 15 sqq.

<sup>3</sup> On his Return, p. 81.

<sup>4</sup> Demosth. de fals. leg. p. 433, 4. Compare the Anm. z. Petit Leg. Att. p. 517 of the ed. of Wessel.

<sup>5</sup> Aristoph. Acarn. 916, and the Schol. Casaub. on the same passage.



by checking its trade.<sup>1</sup> Just as Pericles, according to the same poet's *Acharnæ*,<sup>2</sup> and to the testimony of many authors, excluded the Megarians from all trade with Attica, in order to harass them.

In the fifteenth year of the Peloponnesian war, the Athenians declared Macedonia, the kingdom of Perdiccas, in a state of blockade.<sup>3</sup> The maritime supremacy of Athens arrogated to itself the right of exercising a continual despotic authority over commerce. It was well aware of the advantages of its maritime position; which have been well presented in every respect by the spirited author of the treatise concerning the Attic State. Every city, he observes among other remarks,<sup>4</sup> needs some kind of importation or exportation. It cannot enjoy both, unless it is submissive to the rulers of the sea. On them depends the exportation of the surplus commodities of other states. If a state has a surplus of timber, suitable for the building of ships, of iron, copper, flax, wax; whither shall it export it, if the ruler of the sea refuses permission? "Upon these products," will he say, "depends my fleet. From this country I procure timber, from that iron, from that copper, from that flax, from that wax. Besides, it cannot be allowed to those states which possess these products to export them to other countries; to those who are our antagonists; or the use of the sea will be taken from the former in case they export them thither."<sup>5</sup> I procure them all from the earth through the sea. No other state obtains from the former two of them, none at the same time flax and timber, or iron and copper, but one this, the other that." While the power of Athens was at its height, during the Peloponnesian war, the Hellespont was guarded by the Athenians, and a peculiar body of civil officers was placed there (the Hellespontophy-

<sup>1</sup> *Acharn.* from Vs. 860 onwards.

<sup>2</sup> Compare particularly the argument of this comedy, *Thucyd.* I. 139, *Plutarch Pericl.* 30, *Diodor.* XII. 39 seq.

<sup>3</sup> *Thuc.* V. 83, κατέκλησαν δὲ τοῦ αὐτοῦ χειμῶνος καὶ Μακεδονίας Ἀθηναῖοι Περδίκκην. A difficult passage in a grammatical point of view; but the sense can be no other than that which I have given.

<sup>4</sup> 2, 3. 11. 12.

<sup>5</sup> Thus I understand the words in the treatise concerning the Athenian State, 2, 11: πρὸς δὲ τοῦτοις ἄλλοσε ἄγειν οὐκ ἐάσουσιν, οἵτινες ἀντίπαλοι ἡμῖν εἰσίν, ἣ οὐ χρήσονται τῇ θαλάττῃ.

laces as, in my opinion, they were called). No grain could be exported from the Pontus, or from Byzantium, to any place without permission of the Athenians. In case permission was granted, it was determined to what amount annually the importation should be allowed to the favored state, and a manifest of what was to be imported was required to be handed in to the Athenian officers above mentioned.<sup>1</sup> In time of war, which, as we have already remarked, was carried on as much by harassing commerce, as with weapons, an embargo was laid on ships, privateering expeditions were sent out, vessels were detained or captured, even such the detention or capture of which the state had not authorized. To obtain by means of the prize courts the restoration of property thus unjustly lost, was extremely difficult. That these measures of the Athenians excited the most bitter hatred, cannot appear strange. The Spartans themselves protested against the decree of the Athenians adverse to the Megarians. That it was not abrogated was the immediate pretext for undertaking the Peloponnesian war.

The Athenians sought, by many restrictions of the freedom of trade, to provide for their own supposed, or real interest. They wished, by these means, to compel the importation, both of such commodities as were necessary to the country, and also of others which they wished to have brought to market in the Athenian harbor in order to be sold there, that the same might become a general emporium. These ordinances are in part excessively oppressive. For example, no inhabitant was allowed to transport grain to any other place than to the Attic emporium. He who transgressed this ordinance was liable to prosecution in that form of accusation called in the Attic jurisprudence *phasis*, as well as in that called *eisangelia*.<sup>2</sup> It was also prescribed how much of every cargo of grain which came into the harbor should remain in Athens itself, as I will show in the sequel. Moreover, another rigid restriction was, that no Athenian or alien living under the protection of the state was allowed to lend money on the security of a vessel which was not to return to Athens with a

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<sup>1</sup> Decrees in behalf of Methone, Beilage, XXI., Böckh, Staatsh. d. Athen. Vol. II. The giving of the manifest is called in them *γράφεισθαι*, C. I. Gr. N. 355, 1569, and elsewhere *ἀπογράφεισθαι*.

<sup>2</sup> See Chap. 15 of this book.

cargo of grain, or of other commodities.<sup>1</sup> According to Salmasius,<sup>2</sup> this law referred only to the trade in grain, and it was only not allowed to lend money to purchase grain in foreign countries, except with the obligation that the grain should be brought to Athens. But this opinion is entirely unfounded. The purport of the ordinance is rather, that money should be lent upon the security of no ship which did not bring grain to Athens. If this were its whole purport, no money could have been lent upon bottomry except upon ships used for transporting grain. Since this was certainly not the fact, it is evident that we have but an incomplete transcript of the law. This is sufficiently shown in Demosthenes against Lacritus. Grain, as the most important article, was only first and expressly mentioned.<sup>3</sup> In many passages it is plainly said, that it was not lawful, in general, to borrow money upon a ship which was to go to a foreign port, and not return to Athens; grain not being expressly mentioned. In the contract of bottomry, mentioned in the speech of Demosthenes against Lacritus, to which case the law is directly applied by the orator, it was not prescribed that either grain, or any thing else should be brought back as a return cargo. And the debtor even affirmed himself, that he wished to bring back as his return cargo to Athens, salted fish and Coan wine.<sup>4</sup> Also, in no similar document is the kind of commodities ever designated which were to be taken as a return cargo, but it was required only that the cargo, upon which the security was given, and the return cargo, should be of equal value. Finally, how could it be possible to determine the commodities which should be

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<sup>1</sup> Demosth. against Lacrit. pp. 942, 9–20, from the law: Ἀργύριον δὲ μὴ ἐξεῖναι ἐκδοῦναι Ἀθηναίων καὶ τῶν μετοίκων τῶν Ἀθήνησι μετοικοῦντων μηδενί, μηδὲ ὧν οὐτοὶ κέρτοί εἰσιν, εἰς ναὺν ἥτις ἂν μὴ μέλλῃ ἄξεν σῖτον Ἀθήνας, καὶ τὰλλα τὰ γεγραμμένα περὶ ἐκάστου αὐτῶν. The last words show that many regulations followed, which the orator omits, and in these without doubt the other commodities were also mentioned, either particularly, or in general.

<sup>2</sup> De. M. U. V. p. 193 sqq.

<sup>3</sup> Against Lacritus as above cited, καὶ δίκη αὐτῷ μὴ ἔστω περὶ τοῦ ἀργυρίου, ὃ ἂν ἐκδῷ ἄλλοσέ πῃ ἢ Ἀθήνας. Demosth. against Dionysodor. p. 1284, 15, οὔτε οὐκ ἂν δανείσαιμεν εἰς ἕτερον ἐμπόριον οὐδὲν ἄλλ' ἢ εἰς Ἀθήνας. The passage in the oration against Lacritus, p. 941, 15, ἐννὴν δέ τις ἐκδῷ παρὰ ταῦτ', εἶναι τὴν θάσιν καὶ τὴν ἀπογραφὴν τοῦ ἀργυρίου πρὸς τοὺς ἐπιμελητάς, καθὺ περὶ τῆς νεῶς καὶ τοῦ σίτου εἴρηται, κατὰ ταῦτα, is for many reasons no proof against the above-mentioned express assertion.

<sup>4</sup> P. 933, 15.

taken as the return cargo, since the merchant was obliged to choose according to circumstances, and with a due regard to his own interest, and no positive judgment could be formed beforehand? The objection that it would have been unwise to determine, that in general a return cargo should be brought back, may pertinently be made to the contrary supposition, since the merchant might find it more advantageous to take no return cargo, but to sail without a lading. It is apparent, however, that when money was lent upon both the outward and the homeward voyage, it was requisite, that a return cargo should, in every case, be brought back. The cases in which no kind of cargo was brought to Athens may have been so unfrequent, that the laws relating to lending money took no notice of them. And it will at least be allowed, that it was not lawful to lend money upon a ship, or upon the commodities with which it was laden, except on condition that the ship should return to Athens. For it stands too plainly in the original documents upon this subject, that money should not be lent for any other emporium than that of Athens; and "to lend money for another emporium," means nothing else than to lend money upon a ship, which was not to return to Athens.<sup>1</sup> We must, therefore, allow that as a general rule it was not lawful in Athens to lend money upon a ship, nor upon the commodities of which its cargo was composed, except under the obligation that the vessel should return to Athens. The object of this regulation was, that no Athenian property might be employed for the benefit of a foreign emporium. With this prohibition, the permission to lend money only during the time of a voyage to a place, exclusive of the return voyage (*ἐτερόπλους*), is not inconsistent. When money was lent to a ship-master on a voyage from Athens to Rhodes, without the obligation to pay the money in Athens upon his return, but with the stipulation that it was to be paid immediately upon his arrival

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<sup>1</sup> Compare only Demosth. against Laerit. p. 941, and Demosth. against Dionysodor. p. 1284. The explanations of Platner Att. Process und Klagen, Bd. II. p. 358 sqq. and De Vries de Fen. Naut. p. 22 seq. which differ from that of mine above are indeed, especially the first, very plausible. But I have not been able to convince myself of their correctness. At the most, it might follow from the explanation of the first, that the Athenian policy in respect to commerce was, in the particular mentioned, false. But many states have followed a false policy, in respect to commerce, throughout a long period of time, and follow it still.



at Rhodes, it does not follow from this that he was not to return to Athens. The law required him to return, just as positively as if the money had been lent to him until his return. The only difference is that in the former case the creditor ran the risk of the outward voyage only, in the latter of the homeward voyage also.<sup>1</sup> Under the condition, therefore, of the return to Athens, it was also lawful to lend money upon the outward voyage alone. This was positively forbidden only when the ship was not to return. Moreover, severe punishments were decreed against the transgression of this law. No action could be brought for the recovery of money lent on bottomry, or upon goods shipped, under any other condition; and the transgressors of the law could be prosecuted in that form of action called *phasis*;<sup>2</sup> the borrower, consequently, if he did not return, could be punished with death.<sup>3</sup> The memorable negotiation with the cities of the island of Ceos affords an example, probably one of many, of the manner in which importation to Athens was compelled by means of treaties with other states. According to this agreement with Ceos, the excellent red chalk of this island was to be exported to no other place except to Athens, and upon no other vessel but that one which should be designated by the state, either the Athenian, or that of Ceos, we know not which.<sup>4</sup>

If now such lovers of freedom as the Athenians imposed

<sup>1</sup> The passage of the speech of Demosthenes against Dionysodorus, p. 1284, 8–20, cannot be used to disprove the above-mentioned view of this subject. For, correctly understood, it is perfectly consistent with it. When Dionysodorus, and Parmeniscus, as therein related, wished to borrow money upon the voyage from Athens to Egypt, and thence to Rhodes, this was borrowing *ἐτερόπλουν*, as it was called, without the obligation of returning. To this it was not lawful for the lenders to agree. If money were lent *ἐτερόπλουν*, a return cargo, or a return of the vessel, would not of course be stipulated in the contract, since the former was not to be included in the security given. It was sufficient for the lenders, that they were convinced that the shipmaster would return. They could easily satisfy themselves in respect to that particular. For example, in the cases mentioned in the speech of Demosth. against Phorm., the merchant had already borrowed money *ἀμφοτερόπλουν*, previously to his borrowing the other sum in addition *ἐτερόπλουν*. Compare, also, in respect to the above topics, Chap. 23 of the present book.

<sup>2</sup> Demosth. against Lacrit. ut sup.

<sup>3</sup> Demosth. against Dionysod. p. 1295, 8 sqq., where the connection leads to this conclusion.

<sup>4</sup> See Beilage XVIII. Böckh. Staatsh. d. Athen. Vol. II.

such restrictions upon commerce for the inhabitants of Athens, and also for others by treaty, the nature of the laws passed by other states in respect to this matter may be conceived. In Ægina and Argos, the importation of Attic manufactures seems to have been, even in early times, prohibited, although nominally for a reason relating to religion. And, first of all, their use in sacred rites was forbidden.<sup>1</sup> In internal trade, also, there was by no means, nor indeed, according to the principles of the ancients, could there be unlimited freedom. Among them the police interfered with every thing, only in a method different from ours. Assizes in reference to articles sold were not unknown. Athens once, in the time of Aristophanes, reduced the price of salt to a definite rate. This continued not long, probably because a scarcity arose.<sup>2</sup> We find indeed great freedom with respect to the prices of grain; but limits were set to the pernicious practice of forestalling. The retail trade in the market was at first, according to the rigorous strictness of the law, prohibited to foreigners; but instances are found in which it was allowed upon payment of a toll. This, however, is not to be confounded with the sum paid to the state for protection by the domiciliated foreigners.<sup>3</sup> To the wholesale trade in the emporium this permission did not apply.

The emporium of the Athenians was in the Piræus. After this became the emporium, no further mention is made of the Phalerian harbor in relation to commerce, or to the marine. The Piræus, in the widest sense,<sup>4</sup> comprised three separate, close harbors; the largest, which may also in a narrower sense be named Piræus, but was properly called the harbor of Cantharus (*Κανθαρίου λιμήν*), the middle harbor or Zea, and a third smaller

<sup>1</sup> Herodot. V. 8.

<sup>2</sup> Aristoph. Eccl. 809, and Schol.

<sup>3</sup> Demosth. against Eubulid. p. 1308, 9, p. 1309, 5. In the latter passage this is called *ξενικὰ τέλει*.

<sup>4</sup> Thus Callierates, or Meneceles in Schol. Aristoph. Peace, 144. In that passage only the first of the three harbors is named. As this was not observed, the false view arose, which I also followed in my work upon the Original Documents relating to the Athenian Marine, p. 64. The correct description of the harbors was first given by Ulrichs in the work *Οἱ λιμένες καὶ τὰ μακρὰ τεῖχη τῶν Ἀθηνῶν*, Athen. 1843, 8, (printed from the *Ἐρατιστής*); Compare the treatise of the same author "über das Attische Emporium im Piræus," in the *Zeitschrift für Alt. Wiss.* 1844. No. 3 sqq.

one in the Munychia. On the shores of all three of the harbors there were buildings for covering and protecting the ships of war; at the harbor Cantharus, also, the great naval arsenal (*σχευοθήκη*). The whole of the magnificent buildings for the navy in the harbor Cantharus, where, however, were only the fourth part<sup>1</sup> of the buildings for covering the ships, appear to have been situated upon the peninsula of Piræus, near the entrance of the aforesaid harbor. Further in the interior was the harbor of the emporium. Upon its shore was built the Aphrodision, (a sanctuary in ancient times indispensably requisite to every harbor,) and still further, in the form of a circle, five stoæ,<sup>2</sup> of which one was called the Long Stoa.<sup>3</sup> In these stoæ were the repositories for storing goods, and the other similar establishments.<sup>4</sup> Either in one of them, or in their immediate vicinity, close to the shore, was also the Deigma,<sup>5</sup> in which the sellers exposed the samples of their commodities for the examination of the buyers, who came from all countries to procure goods. The emporium was the legal mart, whither, to the exclusion of the other harbors, the goods imported into Attica were brought, and

<sup>1</sup> I say purposely 'the fourth part,' not merely "about the fourth part." According to the work upon the Original Documents relating to the Athenian Marine (über die Seerkunden), p. 68, there were in the harbor of Cantharus ninety-six, in Munychia eighty-two, in Zea 196, buildings for covering the ships. According to Strabo, however, it is to be assumed, that originally there were four hundred of them, but that at the time when the above-mentioned documents were prepared, they were not all restored. In accordance with the numbers found in the documents aforesaid, it may with probability be determined, that there were originally in the harbor of Cantharus one hundred, in Munychia one hundred, and in Zea two hundred.

<sup>2</sup> Callicrates or Menecles, ut sup.

<sup>3</sup> Demosth. against Phorm. p. 918; Thucyd. VIII. 90; Pausan. I. 1, 3. Compare Ulrichs, p. 21 of his first-mentioned work. According to Thucydides, the four hundred "built through it" (*διωκοδόμησαν*), that is, either divided it into two parts, or separated it by a wall from the adjoining space. The original structure may have been built by Pericles. Probably the *ἀλφειοπώλης στοά*, the erecting of which is ascribed to him, may have been this Long Stoa.

<sup>4</sup> Compare Ulrichs, in the second of his above-mentioned works, p. 36.

<sup>5</sup> Xenoph. Hellen. V. 1, 21; Aristoph. Ritter, 975, and Schol., Lysias Fragm. p. 31; Demosth. against Lacrit. p. 932, 20, against Polycl. p. 1214, 18; Polyænus, VI. 2, 2; Harpocr. and Tim. Lex. Plat. on the word *δείγμα*; Pollux, IX. 34, and Jungermann on the same; Lex. Seg. p. 237; Casaub. on Theophr. Char. 23. The Deigma at Rhodes is mentioned by Polybius, V. 88, 8, Diodorus, XIX. 45. The sample itself is also called deigma, Plutarch Demosth. 23.

where the transactions relating to maritime commerce, the purchase and sale of commodities for exportation to other ports, took place; unless perhaps some other places, as Eleusis, or Thoricus, had special privileges. Where a whole city or island was not itself an emporium, the boundaries of the emporium were definitely fixed; as in Chalcis, for example, where it lay without the walls of the city.<sup>1</sup> Thus in the Piræus, the emporium was separated by mere-stones, or other marks (ὄροις, σημείοις), from the other landing-places, and from the rest of the Piræus.<sup>2</sup> This limitation was not barely a separation from the dock-yards for the ships of war. It must, therefore, be assumed, that it had a financial object in relation to mercantile affairs. The emporium was doubtless a free harbor, and only the commodities which were conveyed into the country beyond the boundaries of the emporium, paid the duties of entrance. From those commodities which did not pass into the interior, the special charges of the emporium only were levied. Nor was the full export duty levied from the goods which were brought from other countries into the emporium, when they were conveyed from it by sea.

The price of commodities could not have been very much enhanced by the ordinary commercial restrictions, so moderate was the rate of the duties exacted, extraordinary acts of extortion excepted. But prices were enhanced by the great profits received by the merchants. That the profit was great is shown by the high rate of maritime interest (*fenus nauticum*). Thirty per cent. for the use of money for one summer, was not an uncommon rate. Hume's remark,<sup>3</sup> that a high rate of interest and great profit are an infallible proof that manufactures, trade, and commerce are yet in their infancy, may be applied with the most propriety to the more ancient periods of the Grecian states, but it has some application also to the time of Pericles, and to the succeeding periods. A ship of Samos, Herodotus relates,<sup>4</sup> which through divine direction had arrived from Egypt to Tarentus in Iberia, before any Greek, before even the Phocæans

<sup>1</sup> Dicaearchus, p. 146, Fuhr.

<sup>2</sup> Demosth. against Lacritus, p. 932, 14. The following is the inscription on the mere-stone mentioned in the 2d of the works of Ulrichs above cited: ΕΜΠΟΡΙΟ || ΚΑΙ ΗΘΑΔΟ || ΗΘΟΣ.

<sup>3</sup> Essays, p. 222.

<sup>4</sup> IV. 152.



had traded thither, made a profit on her cargo of sixty talents; for the tenth part of the profit, dedicated to Juno, amounted to six talents. Probably the commodities of which its cargo consisted were exchanged for silver, at a cheap rate of the latter.<sup>1</sup> A greater profit no Greek merchants had ever made, except Sos-tratus of Ægina, with whom no one in that particular could vie. But the value of the Samian vessel's cargo, of course, cannot be determined, since both the burden of vessels and the goods of which their cargo consisted, were very diverse. We find mention of ships' cargoes of the value of only two talents, but also of cargoes of much higher value; as, for example, the cargo of a ship of Naucratis, mentioned by Demosthenes, was valued at nine and a half talents.<sup>2</sup> Also, in the time of Lysias, a certain ship, in a voyage from Athens to the Adriatic Sea, made so great profit on its cargo of the value of two talents, that it doubled its capital.<sup>3</sup> Of course the retailers (κίπτηλοι) received a very great profit from the sale of their goods, proportionate to the high rate of interest.

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## CHAPTER X.

### ON THE CHEAPNESS OF COMMODITIES IN ANCIENT TIMES.

EVERYWHERE in the ancient world, but in a higher or less degree in different countries, the necessities of life upon the whole were cheaper than they are at the present day. But with regard to particular articles, examples enough of the contrary are found. The main causes of this comparative cheapness were the less amount of money in circulation, the uncommon fruitfulness of the southern countries which the Greeks inhabited, or with which they traded; countries which at that time were cultivated with an extraordinary degree of care, but are at present

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<sup>1</sup> Compare what Diodorus, V. 35, relates of the Phœnicians.

<sup>2</sup> Demosth. against Timocr. p. 696, and in several other passages.

<sup>3</sup> Lysias against Diogeiton, p. 908.

neglected; and the impossibility of exportation to the distant regions which had no intercourse, or but little, with the countries lying on the Mediterranean Sea. The last is especially the reason of the great cheapness of wine. The large quantities of the same which were produced in all southern regions, were not distributed over so considerable an extent of the earth as at present. Nevertheless in considering the prices of commodities in ancient times the difference of times and places must be well weighed. In Rome and Athens wine was not, in the most flourishing condition of the state, as cheap as it was in Upper Italy, and in Lusitania. In Upper Italy the Sicilian medimnus of wheat, which was equal to the Attic medimnus, and considerably less than the Prussian bushel, (or than  $1\frac{1}{2}$  English bushels,) was worth, even in the times of Polybius,<sup>1</sup> according to the account of that historian, only four oboli. This price seems to rest upon an inaccurate comparison of the Roman with the Greek coin, and particularly upon the supposition that the modius, one sixth of the medimnus, was worth two asses, the medimnus, therefore, worth twelve asses; which, estimating the denarius to be equivalent to the drachma, would be equal to  $4\frac{1}{2}$  oboli. To this last amount four ancient oboli of the standard of Solon, (four g. gr. or 11.40 cts.) may certainly be estimated as equivalent. The medimnus of barley was worth the half of this price, the metretes of wine, about  $34\frac{1}{2}$  Prussian quarts, or about ten English gallons, was worth as much as the medimnus of barley. Travellers were wont to agree with their hosts, not as elsewhere, upon the prices of single articles, but upon the sum which they should give for the supply of the wants of each individual guest. The hosts demanded commonly one half an as, or one fourth of an obolus (more accurately only three sixteenths of an obolus, a little more than two gnte pf., or not quite one half ct.), and seldom went beyond this rate. In Lusitania, according to the same historian,<sup>2</sup> the Sicilian medimnus of barley cost a drachma, of

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<sup>1</sup> Polyb. II. 15. Polybius has reduced the Roman coin to Greek, since he estimates the denarius as equivalent to the drachma, and gives the value in Greek money in round numbers. For the manner in which this was done, see Metrol. Unters. p. 418.

<sup>2</sup> XXXIV. 8, 7. In regard to the reading, see Schweighäuser, in Lex. Polyb. p. 555.

wheat nine Alexandrian oboli,<sup>1</sup> the metretes of wine as much as the medimnus of barley, a kid of moderate size an obolus, a hare the same price, a lamb from three to four oboli; a fat swine, weighing one hundred minas, five oboli; a sheep two, a draught-ox ten, a calf five drachmas; a talent of figs, about fifty-six Pr. lbs.<sup>2</sup> (57.74608 Eng. lbs.), three oboli. Game was of no account, but was thrown in gratuitously. Such low prices as these are not applicable to Athens after the Persian wars. In the time of Solon, indeed, an ox was worth only five drachmas, a sheep one drachma, and the medimnus of grain the same. But gradually the prices increased fivefold; of several articles seven, ten, and twenty fold. After the examples of modern times this will not appear strange. The amount of ready money was not only increased, but by the increase of population, and of intercourse, its circulation was accelerated: so that already in the age of Socrates, Athens was considered an expensive place of residence.<sup>3</sup> The cheapness of commodities, in ancient times, has generally been exaggerated by some, who supposed the assumption, that prices were on an average ten times lower than in the eighteenth century, to come the nearest to the truth.<sup>4</sup> The prices of grain, according to which the prices of many other articles must be regulated, show the contrary. It is difficult to designate average prices, however; since so few, and those only very casual accounts, are extant. Letronne<sup>5</sup> designates the value of the medimnus of grain at  $2\frac{1}{2}$  dr. as the average price in Greece, in particular at the city of Athens, about the year before Christ, 400; and in accordance with this, he assumes the value of grain, compared with that of silver, to have been in the relation of 1:3146; the same at Rome, fifty years before the Christian era, to have been in the relation of 1 to 2681, in France, before the year 1520 in the relation of 1:4320, and in the nineteenth century in the relation of 1:1050. This estimation, according to which the present prices of grain are three times as high as they were during the period of the most flourishing condition of Greece, appears to me the most probable. In order that a more

<sup>1</sup> Concerning this money, see above, chap. 4.

<sup>2</sup> The Pr. lb. here meant is equivalent to 1.031180 Eng. lbs. Av. — (Tr.)

<sup>3</sup> Plutarch on Tranquillity of Mind, 10.

<sup>4</sup> Gillies, as before cited, p. 14. Wolf assumes the same in his treatise, "über eine milde Stiftung Trajans," p. 6.

<sup>5</sup> Consid. Génér. p. 119.

definite judgment may be formed with regard to particulars, I will treat more fully of the prices successively, of real estate, of slaves, of cattle, of grain, of bread, of wine, of oil, and other necessities of life; also of timber, of clothing, and of the various utensils and household movables, so far as I have been able to obtain information concerning them.

## CHAPTER XI.

### OF LANDED PROPERTY, AND OF MINES.

THE value of the cultivated land of Attica was, of course, very different, according to its situation and fertility. The lands in the vicinity of the city brought a much higher price than the more distant.<sup>1</sup> Land covered with trees (*γῆ πεφυτευμένη*) was dearer than that which was cleared, the so-called bare land (*γῆ ψιλὴ*); the rich and fertile soil than the sterile. Among the many passages which give the value of portions of real property, only a single one contains an account from which may be derived a probable estimation of the area; and that does not determine its situation and condition. Aristophanes, as is related by Lysias,<sup>2</sup> had bought a house for fifty minas, and also three hundred plethra of land. Both together cost him more than five talents. If we assume that it cost him five talents and twenty minas, and deduct from that sum the value of the house, there remain for the land 27,000 drachmas. This would be ninety drachmas (22 thlr. 12 g. gr., about \$15.39) the plethron. But the plethron contains ten thousand feet of the Grecian square measure, about 9,648 Rhineland feet,<sup>3</sup> (or according to the *Encyclopædia Americana* about 10,096 English square feet; about 10,259, or, as indicated in another statement, about 10,221 English

<sup>1</sup> Xenoph. concern. the Pub. Revenues, 4.

<sup>2</sup> Speech for the Property of Aristoph. p. 633 and p. 642, in which, instead of *οὐσίαν* with Markland, *οἰκίαν* is to be read.

<sup>3</sup> According to the *Encyclopædia Americana*, the Rhineland foot is equivalent to 1.023 English feet. The Rhineland sq. foot, then, is equivalent to 1.046529 Eng. sq. feet. The clause within the parentheses has been altered, since note 3, p. 148, was printed, in accordance with the suggestions contained in it, and with the alteration directed in the Additions, etc., against p. 149; see the same. — (Tr.)



square feet, according to the Conversations-Lexicon). The Magdeburgan acre of 180 square rods, (25,920 Rh. feet, or about 27,126 Eng. feet,) would, therefore, have cost about 242 drachmas, or about sixty thlr., (equivalent to about sixty-six dollars for an English acre). This does not at all agree with that exaggerated view that prices in general were in ancient times tenfold less than at present. The price of many fields, however, may have been less. But, as the average price of the plethron, the sum of fifty drachmas may probably be assumed, apart from accidental circumstances, through which the value of the property might be diminished. Moreover, landed property in Attica seems to have been divided into rather small portions. The paternal inheritance of real estate belonging to Alcibiades, amounted to no more than the estate which Aristophanes bought, although the family of the former was one of the most distinguished. Individuals first began to make extensive acquisitions of landed property in the time of Demosthenes. The most extensive tracts of land were the so-called frontier lands (*ἑσχατιαί*), which were remote from the capital on the sea-shore, or in the mountains.<sup>1</sup> Thus the frontier tract of land of Timarchus, in Sphettus, was called a large tract, but it had grown wild through his neglect.<sup>2</sup> That of Phænippus, in Cytheron, was over forty stadia, or 240 plethra of long measure in circuit.<sup>3</sup> Its area cannot be accurately ascertained from this statement. If we assume neither too great nor too small a difference in its dimensions, but that its length was twice its breadth, it contained, according to this estimation, an area of 3,200 plethra. Nevertheless, very small pieces of frontier land are also mentioned; as, for example, one of sixty drachmas market value.<sup>4</sup>

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<sup>1</sup> Harpoer. on the word *ἑσχατιά*, Schol. on Æschines against Timarch. p. 736, 737, Reisk.; Lex. Seg. p. 256, and the commentators on Æschines and Demosthenes in their notes on the passages about to be cited. Herodotus, also, VI. 127, calls remote pieces of landed property *ἑσχατιαί*. The opinion is certainly false that the portions of landed property on the borders of the districts (*δῆμοι*) were so called; except where, as was the case with many of these districts, they were bounded by the sea or the mountains.

<sup>2</sup> Æsch. against Timarchus, p. 117, 119.

<sup>3</sup> Speech against Phænipp. p. 1040, 15. The connection shows that not area, but circuit, is meant.

<sup>4</sup> Beilage XVII, with the note, Boeckh. St. d. Ath. Vol. II.

Of other portions of real estate I have observed the following prices, which show in part a very great subdivision of landed property. A number of lots of land were sold together for 4,837½ drachmas; one of them for 167½ drachmas. One in Cothocidæ was sold for 250 drachmas.<sup>1</sup> One in Sphettus is mentioned by Lysias, worth five minas; another by Isæus, worth more than ten minas; and by the first-mentioned orator, one in Cicynna valued by the creditor at ten minas.<sup>2</sup> And in Terence one is pledged for the last-mentioned sum.<sup>3</sup> Timarchus sold a piece of land in Alopece, distant between eleven and twelve stadia from the walls of the city of Athens, for twenty minas; a price below its true value.<sup>4</sup> Mention is also made of a piece of landed property in Prospalta worth thirty minas;<sup>5</sup> of one in Cœnoe worth fifty minas.<sup>6</sup> A piece of land which belonged to Ciron was, according to Isæus's expression, well worth even a talent. From this it may be concluded that it was considered to have been of more than ordinary value. A piece of landed property is mentioned by Demosthenes of equal value, which seems to have contained a vineyard.<sup>7</sup> Still more

<sup>1</sup> Beilage XVII, with the note, Boeckh. St. d. Ath. Vol. II.

<sup>2</sup> Lysias *περὶ δημοσίων ἁδικ.* p. 594. Compare p. 593, 595; Isæus concerning the Estate of Menecles, p. 221, Orell.

<sup>3</sup> Phorm. IV. 3, 56. We find, also, the pledging or mortgaging of pieces of land for definite sums in inscriptions on *ὑποτ.* But I omit them, since their value cannot with certainty be determined from these memorials. Thus when, in C. I. Gr. No. 530, two thousand drachmas, *τιμὴς ἐνοφειλομένης*, are said to have been loaned on the security of a piece of land, the land may have been worth much more. The same may be said respecting the *ὑποτ.* described in Ross's work, Demen, No. 33, Inscriptt. Gr. inedd. II. p. 32, Finlay, Transact. of the R. Soc. of Litt. III. 2, p. 395, and elsewhere. Thus also I omit the values of very many pieces of land in Tenos, (C. I. Gr. No. 2338,) since they give no information in relation to the point under consideration. The catalogue of mortgaged lands contained in the same is also omitted (No. 2338, b. Vol. II. p. 1056). The catalogue of Delphian lands, (C. I. Gr. No. 1690,) the values of which are given in staters and fractions of staters, according to the silver money of Phocæa, (in which two reduced Æginetan drachmas are equivalent to a stater,) does not contain, as I have shown, the prices of sale. It would contribute nothing, therefore, to our object. The values of certain pieces of land at Mylasa are given in C. I. Gr. No. 2693, e, and 2694.

<sup>4</sup> Æschines against Timarchus, p. 119.

<sup>5</sup> Isæus concerning the Estate of Hagn. p. 294, (according to Bekker's reading, taken from the Manuscripts, Oxford ed. p. 159,) 298.

<sup>6</sup> Isæus as above cited, p. 294.

<sup>7</sup> Isæus concerning the Estate of Ciron, p. 218; Demosthenes against Onetor. I p. 872, near the end; II. p. 876, 10. Compare I. p. 871, 22.

considerable are the values of seventy minas, and of seventy-five minas, at which a piece of landed property in Athmonon was estimated; of one in Eleusis, estimated to be worth two talents; and of one in Thria worth two and a half talents.<sup>1</sup> I have found nothing respecting the prices of other real property; except that shares in mines are mentioned worth a talent each, also worth ninety minas. The price of these was, indeed, sometimes enhanced by circumstances.<sup>2</sup>

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## CHAPTER XII.

### OF HOUSES.

ATHENS contained over ten thousand houses,<sup>3</sup> probably exclusive of the public buildings, and of those which were situated without the walls. But on account of the great extent of Athens, and of the cities of the harbors, there were many pieces of ground within them unoccupied by buildings.<sup>4</sup> The houses were generally small, and unsightly, the streets crooked and narrow. A stranger, says Dicæarchus,<sup>5</sup> suddenly viewing the city for the first time, might doubt whether it was in reality the city of the Athenians. The Piræus alone was regularly laid out by the architect Hippodamus, the Milesian. We know not precisely when this was done, but it was probably in the time of Pericles. The upper stories of the houses frequently projected over the streets. Stairs, balustrades, and doors opening outwards, narrowed the path. Themistocles and Aristides, in coöperation with the Areopagus, effected nothing further than to cause that

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<sup>1</sup> Isæus concerning the Estate of Menecl. p. 220, 221, Orell.; concerning the Estate of Philoctem. p. 140; concerning the Estate of Hagn. p. 292 sqq.

<sup>2</sup> See my "Abhandlung von den Laurischen Silberbergwerken" in the "Abhandlungen der Berl. Akad. d. Wiss." of the year 1815.

<sup>3</sup> Xenoph. Mem. Soc. III. 6, 14. Reference is also made on this point to Xenoph. Œcon. 8, 22, with doubtful propriety, however.

<sup>4</sup> Xenoph. concern. the Pub. Revenues, 2.

<sup>5</sup> P. 140. Fuhr.

projections should no longer be built over or into the streets: and this regulation was also maintained in later times.<sup>1</sup> The propositions of Hippias and Iphicrates for tearing down such parts of buildings as projected into or over the public streets,<sup>2</sup> were not carried into execution, because their object was, not the improvement and embellishment of the city, but extortion. Beside the magnificent edifices of the state, private persons possessed, even in more ancient times, and especially in the age of Pericles, if not very large, yet well-built dwellings, adorned with all the ornaments of art.<sup>3</sup> The inhabitants of Athens, however, seem first, in the age of Demosthenes, to have built for themselves more stately residences. "In ancient times," says this orator,<sup>4</sup> "the commonwealth possessed affluence, and was resplendent with wealth and glory. None raised himself above the multitude for selfish purposes. If in later times the houses of Themistocles, Aristides, Miltiades, Cimon, or other great men of an earlier age were still known, they were seen to be in no respect distinguished above others. But the edifices of the state were extraordinarily magnificent." He complains, on the contrary, of the contemporary statesmen, that they erected dwellings which excelled in splendor the public edifices. Midias built in Eleusis, a house larger than any in that city.<sup>5</sup> The greater part of the houses, however, even in this period, were still badly built, as Phocion's,<sup>6</sup> for example, and their site, like that of the houses in Pompeii and Herculaneum, was confined to too narrow a space. Hence they could not have been costly. Labor was cheap, there was plenty of stone, and timber could be easily procured. The buildings were mostly constructed of framework, or of unburnt bricks dried in the air. By this method of construction they were rendered still less costly. This last-mentioned style of building, since it is more durable than that in which soft stones

<sup>1</sup> Heraclid. Polit. and the ancient treatise upon the Athenian State, 3, 4.

<sup>2</sup> See Meursius, F. A. p. 20.

<sup>3</sup> Compare Letronne upon the Painting of Walls, p. 279 sqq.

<sup>4</sup> Demosth. against Aristocr. p. 689, 11-24; Olynth. III. p. 35, 14-24, p. 36, 20. From both these orations what is contained in the oration *περὶ συντάξεως*, p. 174-175, is patched up. For the whole oration is with reason considered to be not a genuine production of Demosth.

<sup>5</sup> Demosth. against Mid. p. 565, 24.

<sup>6</sup> Plutarch, Phoc. 18.



are used, was employed in the erection even of the more stately edifices.<sup>1</sup> An advantageous situation, and the high rent that was customary, may nevertheless have enhanced the value of houses. And, of course, also by unintelligently and prodigally engaging in building, much money may have been expended upon a useless house.<sup>2</sup> Attic usage distinguishes houses for residence (*οἰκία*) from houses for renting (*συνοικία*). A house in which the proprietor commonly dwelt may, to be sure, have fortuitously been let, and a house usually let have been occupied by the proprietor. Instances where such was the fact may have caused that the learned have fallen into the error of supposing, that by the last-mentioned word was frequently designated a house in general, without the accessory idea of letting. But the derivation of the word itself shows, that it was intended to indicate by it the living together of several families, and that either all, or some of them hired their apartments.

The prices of houses which are mentioned in ancient writers vary from three minas (75 thlr. or \$51.30) to one hundred and twenty minas (3,000 thlr. or \$2,052), according to their size, situation, and structure. In the specific accounts relating to this subject are mentioned the following: a house which Isæus, probably undervaluing it, thought not worth three minas; a house at Eleusis, estimated by the same orator to be worth five minas;<sup>3</sup> a small house near the statue of Hermes Psithyristes at Athens, sold, according to another orator, for seven minas;<sup>4</sup> another mortgaged, according to Demosthenes, for ten minas. This latter belonged, as the inconsiderable dowry of the wife, forty minas, and other circumstances show, to persons of humble rank.<sup>5</sup> With this may be connected the mortgaging of a house for ten minas, mentioned in Terence, who, in his comedies, gives a correct representation of Attic life;<sup>6</sup> further, a dwelling-house in the city

<sup>1</sup> That the Athenian private buildings were built of unburnt bricks is partly proved by Plutarch in the life of Demosthenes, 11. See also Hirt's *Baukunst der Alten*, p. 143.

<sup>2</sup> Xenoph. *Œcon.* 3, 1.

<sup>3</sup> Isæus concerning the Estate of Menecl. p. 221, Orell.; concerning the Estate of Hagn. p. 293.

<sup>4</sup> Speech against Neæra, p. 1358, 6-9.

<sup>5</sup> Demosthenes against Spud. p. 1029, 20. Compare p. 1032, 21, p. 1033, 26.

<sup>6</sup> Phormio, IV. 3, 58.

worth thirteen minas, mentioned by Isæus;<sup>1</sup> a house in the country kept for leasing, mortgaged for sixteen minas, mentioned by Demosthenes;<sup>2</sup> a house in the city, which was let, worth twenty minas, mentioned by Isæus,<sup>3</sup> and several others of the same value, mentioned by Isæus, Demosthenes, and Æschines;<sup>4</sup> one of them was behind the citadel; a house bought for thirty minas, and another of the same value mentioned by Isæus and Demosthenes,<sup>5</sup> the latter in Melite; a house in the Ceramicus, for renting, worth forty minas, and given as dowry, mentioned by Isæus; another in the city sold for forty-four minas, mentioned by the same orator;<sup>6</sup> another worth fifty minas, mentioned by Isæus and Lysias;<sup>7</sup> a house of Pasion, the rich banker, for renting, valued at a hundred minas;<sup>8</sup> finally, a house, with comical liberality, bought for two talents, mentioned in Plautus, and two wooden pillars belonging to it, valued, without including the price of transportation, at three minas.<sup>9</sup> I will add to the above a bathing-house in the Serangium at the Piræus,<sup>10</sup> worth thirty minas, and another probably worth forty minas, since the man who lost a lawsuit (*δίκη ἐξούλης*) concerning it, was obliged to pay that amount.<sup>11</sup>

<sup>1</sup> Concerning the Estate of Chiron. p. 219.

<sup>2</sup> Against Nicostratus, p. 1250, 18.

<sup>3</sup> Ut sup.

<sup>4</sup> Isæus concerning the Estate of Hagn. p. 294, according to Bekker's reading taken from the manuscripts. (Oxf. ed. p. 159.); Demosthenes against Onetor. II. p. 876, 9, and in several other passages; Æsch. against Timarch. p. 119.

<sup>5</sup> Isæus concerning the Estate of Hagn. p. 293; Demosth. against Aphob. I. p. 816, 21.

<sup>6</sup> Concerning the Estate of Dicæog. p. 104; concerning the Estate of Philoctem. p. 140.

<sup>7</sup> Isæus concerning the Estate of Dicæog.; Lysias for the Property of Aristoph. p. 663.

<sup>8</sup> Demosth. against Steph. I. p. 1110, 8.

<sup>9</sup> Mostell. III. 1, 113 sqq.; III. 2, 138. I omit other passages not relating to Athens; as, for example, that in the spurious letter ascribed to Æschines, 9.

<sup>10</sup> Isæus concerning the Estate of Philoctem. p. 140. For the Serangium, compare Harpoer. on this word.

<sup>11</sup> Isæus concerning the Estate of Dicæog. p. 101. For the *δίκη ἐξούλης*, see Book III. 12, of the present work.

## CHAPTER XIII.

## OF SLAVES.

THE market price of slaves varied, apart from the difference founded upon the greater or less demand and supply,<sup>1</sup> according to their age, health, strength, beauty, intellectual faculties, skill in arts, and moral character. One slave, says Xenophon,<sup>2</sup> is well worth two minas, another scarcely half a mina. Nicias, the son of Niceratus, is said to have bought an overseer for his mines at the high price even of a talent. Slaves employed in mills and mines were, without doubt, the cheapest. Since Lucian in his facetious valuation of the philosophers,<sup>3</sup> estimates Socrates at two talents, the Peripatetic philosopher at twenty minas, Chrysippus at twelve, the Pythagorean at ten, Dion of Syracuse at two, and, to omit the value at which he estimates Diogenes, considers Philo the sceptic to be worth one mina, with the remark that he was designed for the mill; the last was evidently the common price for the slave employed in mills. Suppose, says Xenophon,<sup>4</sup> that the Athenian State should buy twelve thousand slaves, and should let them out to work in the mines for the daily recompense of an obolus a head; and suppose that the whole amount annually thus received should be employed in the purchase of new slaves, who should again in the same way yield the same income, and so on successively; the state would then, by these means, in five or six years, possess six thousand slaves. If in this latter number the original twelve hundred are included, which I believe is intended, the price at which they should be bought would be assumed to be from 125 to 150 drachmas. If the above-mentioned number is not included, which however is improbable, a slave employed in the mines would then be estimated

<sup>1</sup> Here may be mentioned, for example, prices set in derision, as upon the Carthaginian soldiers, according to Liv. XXI. 41.

<sup>2</sup> Mem. Soc. II. 5, 2.

<sup>3</sup> *Βίων πρᾶσις*, 27.

<sup>4</sup> Concern. Pub. Rev. 4, 23.

to be worth only 100 to 125 drachmas. A transaction is mentioned by Demosthenes,<sup>1</sup> in which 105 minas were lent by two creditors upon the feigned purchase of a mine, together with thirty slaves. One of the purchasers, Nicobulus by name, advanced forty-five minas; the other, whose name was Euergos, a talent. The latter took the mine as his security, the former the slaves, and returned them upon the fulfilment of the contract.<sup>2</sup> Consequently, the slave was estimated, in that transaction, to have been worth 150 drachmas ( $37\frac{1}{2}$  thr., or \$25.65). The value of such a slave could not, as a general rule, have been higher, although the opposing party asserted that the mine and slaves together were worth much more than the amount at which they had been estimated.<sup>3</sup> When Barthélemy,<sup>4</sup> on the contrary, estimates the value of a slave employed in the mines to have been from three hundred to six hundred drachmas, this valuation is founded upon an erroneous supposition. Common domestic slaves, both male and female, could not have been worth much more than the slaves employed in the mines.<sup>5</sup> Two slaves are estimated in Demosthenes<sup>6</sup> to have been worth, together,  $2\frac{1}{2}$  minas. In the same author mention is made of the sale of a slave for two minas.<sup>7</sup> The father of Demosthenes possessed iron smiths, or sword cutlers, who were worth, some five, some six minas; the least valuable were worth not less than three minas. He also possessed twenty chairmakers, who were worth together forty minas. The chairmakers, together with the thirty-two or thirty-three sword-

<sup>1</sup> Against Pantænet. p. 967.

<sup>2</sup> The same, p. 967, 18, and p. 972, 21.

<sup>3</sup> I refer, for brevity's sake, to my "Abh. über die Silbergruben von Laurion," p. 40.

<sup>4</sup> Anachars. Vol. V. p. 35.

<sup>5</sup> Compare the accounts, indefinite to be sure, to be found in Aristoph. Plut. 147. Isæus concerning the Estate of Ciron, 218-220.

<sup>6</sup> Against Nicostrat. p. 1246, 7, compare p. 1252 seq. After repeated examination of the passages, and of the circumstances of the case, I find that the person represented as speaker intended to say, that he had not estimated the value of the slaves too low, for their owner himself also did not value them higher. But yet the value of two and a half minas seems to have been intended for both together. It is remarkable, however, that the word *ἀνδράποδα* is not accompanied with the article. But the failure of the article does not show that each, individually, was estimated at the above-mentioned price; for, upon this supposition, the expression would be still more remarkable. The slaves may have been weak, or old, and, therefore, of small value.

<sup>7</sup> Against Spud. p. 1030, 8.



cutlers, were estimated, including a talent of capital, at four talents and fifty minas.<sup>1</sup> But when the orator, where he speaks of the property which was delivered to him, estimates fourteen sword-cutlers, together with thirty minas in ready money, and a house worth thirty minas, at only seventy minas,<sup>2</sup> and consequently each sword-cutler at seventy-one drachmas, it is difficult to conceive the cause of this valuation, even on the supposition, that the house and slaves had, in the mean while, deteriorated through lapse of time. The great influence which skill in an art had on the value of a slave, is already evident from the above-cited example of the sword-cutlers. For the higher the profit, which was obtained from their labor, the more was their price enhanced. Although a slave employed in the mines produced a daily profit of only one obolus, the daily profit derived from the labor of one who was a shoemaker, was two oboli, and of one who was overseer of the workshops even three oboli.<sup>3</sup> The price of five minas, which, as we have seen above, was given for a slave skilled in an art, appears, moreover, as is indicated by a narration in Diogenes,<sup>4</sup> to have been no uncommon price. The Roman soldiers whom Hannibal had sold in Achaia, were redeemed at the price set by the Achaeans themselves of five minas for each. This ransom was paid by the state to the masters.<sup>5</sup> In the narration of a transaction relating to the philosopher Aristippus, ten minas are considered a common price for a slave.<sup>6</sup> The prices which were given in the emancipation of slaves, by selling them to a god, with the stipulation that this sacred and divine property should be in other respects free, and could by no person be reduced again to slavery, in general agree with the above accounts. The contracts of sale of that kind, which are extant, were for the most part made with the Delphian god, and are of a later date than the age of Alexander the Great. The prices mentioned in them are very discrepant, and range, for men

<sup>1</sup> Demosth. against Aphob. I. p. 816, 5. Compare upon the passage, Westermann in the "Zeitschrift f. Alt. Wiss. 1845, N. 97."

<sup>2</sup> Compare Demosth. against Aphob. I. p. 815; 817, 23, and p. 121.

<sup>3</sup> Æschines against Timarchus, p. 118.

<sup>4</sup> Book II. in the Life of Aristippus.

<sup>5</sup> Twelve hundred cost the state one hundred talents, according to Polybius, Liv. XXXIV. 50. This occurred Ol. 146, 1, in the year of the City 558, (B. C. 196).

<sup>6</sup> Treatise on Education in the works of Plutarch, Chap. 7.

and women, from three to six minas. Four and five minas are the most frequent prices. Prices less than these are seldom found. But there are instances, however, for example, of a man and a woman together, having been thus sold for five minas, of a little girl for two minas, of another young girl for two minas, seventeen staters, and one drachma, of a woman for the unparalleled low price of twenty staters, silver money. The highest prices mentioned are for a woman eight, for a man ten, and for a woman again, fifteen minas.<sup>1</sup>

The high prices suggest the conjecture, however, that in many of these emancipations they were higher than were commonly paid. Moreover, the standard of the coins mentioned in these contracts could not have been the Attic, but must have been a reduced Æginetan standard, which was common in Phocis.<sup>2</sup> This makes the prices seem considerably higher than they really were. For this reduced Æginetan standard was about one and a half of the Attic. Plautus seems, as the comic authors frequently do, to give a high valuation, when he estimates a robust, good slave at twenty minas, and represents a child to have been sold for six minas.<sup>3</sup> The father of Theoclines was condemned to pay a fine of five hundred drachmas to the state, because he attempted to set free the female slave of Cephisodorus. The sum which he paid to the state was, according to the law on that subject, the half of the whole fine. The injured master received the other half. And, probably, it was simply a compensation for the damage; so that the slave seems to have been estimated at five minas.<sup>4</sup> The common price of young women,

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<sup>1</sup> C. I. Gr. No. 1699-1710 (Delphian), Curtius Anecd. Delph. No. 2-35, and p. 20, (concerning Tithorea), p. 27; C. I. Gr. No. 1607, (Locrian, not, as was formerly believed, Boeotian); No. 1756, (Locrian). The very low price above mentioned is found in Curtius, No. 33; that of eight minas, in the same author, No. 21; that of ten minas in C. I. Gr. No. 1607; that of fifteen minas in Curtius, No. 25. In the same condition, as the persons mentioned above, were those who were in reality freedmen, but in form sacred slaves, *ιερόδουλοι*; as, for example, the Venerii at Enyx in Sicily, the maid-servants of Venus in Corinth, the hieroduloi of Comana in Pontus. These the priest could no more sell to another, than the Thessalian knight could sell his bond-servant (*πενέστης*), or the Spartan his Helot, out of their respective countries. Compare Strab. XII. p. 558.

<sup>2</sup> Metrol. Unters. p. 84.

<sup>3</sup> Captiv. II. 2, 103; V. 2, 21. 4, 15.

<sup>4</sup> Speech against Theoclin. p. 1327, 1328. Compare Book III. 12, of the present work.

and of female players upon the guitar, to be kept as concubines, is found to have been from twenty to thirty minas.<sup>1</sup> Neæra was sold for this purpose, at the price of thirty minas.<sup>2</sup> Terence, in one of his comedies, represents a female Moor and an old eunuch to have cost twenty minas.<sup>3</sup> Luxury still more enhanced even these prices. If in Athens an excellent slave could be bought for ten minas, the price at Rome, in the time of Columella, surpassed even this;<sup>4</sup> and so does the value of negroes at the present day. As early as in the age of the first Ptolemies, boys and girls were purchased for service at court at the price of an Alexandrian talent.<sup>5</sup>

The ransom for prisoners was regulated only in part according to the price of able-bodied slaves. In accordance with this it was determined, in the more ancient times, by the Peloponnesians, that two minas should be paid as the ransom of a man; that amount of heavy money no doubt was intended.<sup>6</sup> The Chalcidians, who, before the Persian wars, were prisoners in Athens, were liberated upon the payment of two minas for each man.<sup>7</sup> The poor citizen, in later times, paid taxes at Potidæa upon his body, estimated at the same sum, as upon a capital. Dionysius the elder, after he had conquered the inhabitants of Rhegium, demanded, beside the reimbursement of the costs of the war, a ransom of three minas for each man. According to Diodorus, however, but one mina was demanded.<sup>8</sup> Hannibal offered to release his Roman prisoners for three minas a head.

<sup>1</sup> Terence's *Brothers*, II. 1, 37. 2, 15; IV. 7, 24, and elsewhere; Plaut. *Mostellar.* in many passages; *Curcul.* I. 1, 63; II. 3, 65, and in several other passages; Terence's *Phorm.* III. 3, 24; Isocrates concerning the Exchange of Property, p. 124, Orell.

<sup>2</sup> Speech against Neæra, p. 1354, 16.

<sup>3</sup> *Ter. Eunuch*, I. 2, 89. It is inaccurately said, V. 5, 13, that the eunuch cost the above-mentioned amount. The female Moor seems to have been worth but little. Compare III. 2, 18.

<sup>4</sup> Hamberger de *Pretiiis Rerum*, p. 32. Compare Jugler de *Nundin.* Serv. 7, p. 85 sqq.

<sup>5</sup> *Joseph. Antiq. of the Jews*, XII. 4.

<sup>6</sup> Herodot. VI. 79.

<sup>7</sup> Herodot. V. 77.

<sup>8</sup> The first according to *Aristot. Œcon.* Book II.; from whose account the narration of Diodorus, XIV. 111, varies in many points. The fact occurred Olymp. 98, 2 (B. C. 387). Aristotle mentions, in a very indefinite manner, a ransom of one mina, *Nic. Eth.* V. 10.

In the time of Philip, when many Athenians were prisoners in Macedonia, the ordinary ransom was from three to five minas.<sup>1</sup> All these facts show that the ransom of a prisoner was, in general, equivalent to the price of a slave. But as frequently the dignity of a man, his wealth and importance, were taken into consideration, a higher ransom was often arbitrarily demanded. Nicos-tratus, as is related in a speech of Demosthenes,<sup>2</sup> was obliged to ransom himself for twenty-six minas. Plato was freed from slavery by Anniceris for twenty or thirty minas. When the friends of the sage had collected this money again by contribution, and given it to Anniceris, the latter bought with it for Plato a garden near the academy.<sup>3</sup> According to Æschines,<sup>4</sup> a talent was paid as the ransom of a man who was not particularly wealthy. King Philip asserts, in his epistle to the Athenians,<sup>5</sup> that the Attic general, Diopeithes, would not release Amphilo-chus, a man of some importance, who had been employed in embassies, for a less ransom than fifteen talents. Hence, in order to prevent the exercise of arbitrary discretion in this matter, Demetrius, surnamed the Captor of Cities, made a treaty with the Rhodians, in which it was stipulated that free-men might be ransomed for ten, and slaves for five minas.<sup>6</sup>

Slaves were, with regard to possession, like all other property; they might be given as security and taken as a pledge.<sup>7</sup> They labored either on the master's account, or for themselves, paying a certain definite sum to their masters, or they were let out to labor, not only in mines, but also in other occupations, and even in the workshops of other persons than their masters; sometimes to be employed as hired servants. A certain sum of money was paid the masters in such cases (*ἀπογορά*),<sup>8</sup> and they

<sup>1</sup> Polyb. VI. 58; Demosthenes, π. παραπρ. p. 394, 13.

<sup>2</sup> Against Nicostratus, p. 1248, 23.

<sup>3</sup> Diog. L. III. 20; Plutarch on Exile, 10; Seneca, Ep. 74; Macrobi. Sat. I. 11. The account given by Diodorus, XV. 7, is, as usual, intricate and obscure.

<sup>4</sup> Π. παραπρ. p. 274.

<sup>5</sup> Demosth. p. 159, 15.

<sup>6</sup> Diodorus, XX. 84.

<sup>7</sup> Demosth. against Pantænet. p. 967; against Aphob. I. p. 821, 12; p. 822; against Onetor. I. p. 871, 11.

<sup>8</sup> Demosth. against Nicostrat. p. 1253, 1, 11; against Aphob. I. p. 819, 26; Treatise upon the Athen. State, I. in several passages, especially 11. This last passage is indeed in essential particulars properly corrected by Heindorf. Theophrast. Char. 22; Andoc. concerning the Mysteries, p. 19.



also received a compensation for the services of their slaves, who were employed on board the fleet. The profit from the labors of the slaves, must, from the nature of the case, have been very great, since, as in the case of cattle, both the capital and the interest, which was so high in ancient times, were to be deducted from it, because through age they lost their value, and at their death the money invested in them was gone. To these considerations may be added, also, the great danger of their running away, especially when there was war in the land, and when they were present with the armies.<sup>1</sup> When they succeeded in escaping, it was necessary to pursue them on horseback, and to give notice of reward for their capture (σῶστροα).<sup>2</sup> The idea of an institution for the insurance of slaves first arose in the time of Alexander, at Babylon, in the head of a Macedonian grandee, Antimenes the Rhodian. He undertook, for an annual payment of eight drachmas for every slave which was in the army, if the slave ran away, to return his price to the master as the proprietor of the slave himself had estimated it. This he could easily do, since the governors of the provinces were bound, either to produce the slaves who had escaped into their provinces, or to pay the price of the same.<sup>3</sup> How high an interest on the capital invested in him the labors of a slave produced, can by no means be definitely given. The thirty-two or thirty-three iron-smiths, or sword-cutlers, of Demosthenes, produced annually thirty, the twenty chairmakers twelve minas clear profit. Since the former were worth 190, the latter forty minas,<sup>4</sup> the latter produced an interest of thirty per cent. upon the capital invested, the former only  $15\frac{1}{10}$  per cent.; a very striking inequality. Moreover, the master furnished the materials for manufacture, and perhaps a part of the profit might have been

<sup>1</sup> Thucyd. VII. 27, and VII. 13.

<sup>2</sup> Plat. Protag. near the commencement; Xenoph. Mem. Socrat. II. 10, 2; Lucian's Fugitiv. 27. The Egyptian papyrus, edited by Latronne "Recompense promise a qui decouvrira, ou ramènera deux esclaves échappés d' Alexandrie," (Paris, 1833-4), together with the editor's remarks. The rewards for information concerning a slave, or for his restoration, offered in the papyrus, are quite high (Letr. p. 23).

<sup>3</sup> See Aristot. Oecon. II. 2, 34; Niebuhr wished to write Antigènes instead of Antimenes. The reasons given by Göttling, and Lewis (Philological Museum No. 1, p. 139 seq.), have determined me to retain the old reading.

<sup>4</sup> Demosth. against Aphob. I. p. 816.

ascribed to the gain which he derived from these. With regard to the statement that the workers in leather, belonging to Timarchus, produced daily two, the overseer three oboli for their master, this amount is to be estimated, not merely as interest upon the capital invested in the slaves, but includes also the gain which the master received from furnishing the materials for manufacture. Hence it may be concluded that, when slaves, employed in the mines, and let to farmers of the same, yielded to their masters a profit of an obolus daily, which, reckoning 350 working days in a year, and the average value of the slaves 140 drachmas, will give  $47\frac{1}{3}$  per cent., this profit was by no means derived from the slaves alone, but both from them and from the mines hired with them. This view of the matter I have in another place supported by many reasons.<sup>1</sup>

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## CHAPTER XIV.

### OF HORSES AND CATTLE.

AMONG the domestic animals, horses in Attica bore relatively a high price, not only on account of their usefulness, and of the difficulty of keeping them, but also on account of the inclination for show and expense which prevailed. While the knight kept for war and for parade in the processional march at the celebration of the festivals, and the ambitious man of rank for the races, celebrated with so much splendor, high-blooded and powerful steeds, there arose, particularly among the younger men, that extravagant passion for horses, of which Aristophanes, in his comedy of the Clouds, exhibits an example, and many other authors give an account.<sup>2</sup> So that many impoverished themselves by raising horses, while others became rich in the same

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<sup>1</sup> Abh. über die Laur. Bergw.

<sup>2</sup> Compare Xenoph. upon the Art of Riding, I. 12. Terence Andr. I. 1; Bach on Xenoph. Oecon. 2, 6, and others.

occupation.<sup>1</sup> Technical principles were also early formed respecting the treatment of horses, which before the time of Xenophon were published by Simon, a famous horseman.<sup>2</sup> A common horse, such as, for example, was used by the cultivator of the soil, cost three minas (75 thr. or \$51.30). "You have not dissipated your property by raising horses," says the person represented as the speaker in a speech of Isæus,<sup>3</sup> "for you never possessed a horse worth more than three minas." A splendid riding horse, on the contrary, or one used for the chariot race, was purchased, according to Aristophanes, for twelve minas; and, since that amount was lent upon the pledge of a horse of that kind, this may have been a very common price.<sup>4</sup> A fanciful taste, however, enhanced the price beyond all bounds; thus, for example, thirteen talents were given for Bucephalus.<sup>5</sup> A span of mules, two animals probably by no means particularly excellent, but designed only for ordinary use in the country, was sold for  $5\frac{1}{2}$ , also for eight minas.<sup>6</sup> Asses, probably, were relatively much cheaper. But, except the facetious account of Lucian,<sup>7</sup> that the ass named Lucius, after every one had refused to buy him, was at last sold to a peddling priest of the Syrian Goddess at the high price of thirty drachmas, I have been able to find nothing upon this subject in relation to Greece; and even this passage proves nothing respecting the ordinary price in ancient times, particularly in Attica.

With regard to neat cattle, I know not whence an Englishman could derive the information that an ox, in the time of Socrates, cost eight shillings. All authentic accounts are to the contrary. In the festival at Delos the herald announced, when a present was bestowed upon any one, that a certain number of oxen were given to him, and then the same number of double

<sup>1</sup> Xenoph. Oecon. 3, 8. Many ancient authors make mention of the *καθημποτρο-φείν*.

<sup>2</sup> Xenoph. upon the Art of Riding, I. and Schneider upon the passage.

<sup>3</sup> Concerning the Estate of Dicaeog. p. 116.

<sup>4</sup> Aristoph. Clouds, 20, 1226; Lysias, *κατηγ. κακολ.* p. 306 seq.

<sup>5</sup> Chares in Gell. N. A. V. 2. Uncommonly high prices for asses among the Romans are mentioned; see Dureau de la Malle Mem. de l'Inst. roy. de France, Vol. XIII. p. 468.

<sup>6</sup> Isæus concerning the Estate of Philoctem, p. 140.

<sup>7</sup> The Ass, 35.

Attic drachmas were presented to him.<sup>1</sup> But there is no sufficient reason for seeking in this custom a very ancient price of oxen, since it may be explained in accordance with the tradition, that upon the ancient didrachmas (namely, the Attic didrachmas of the Euboic standard, I presume) there was the impression of a bull.<sup>2</sup> In Athens, in the time of Solon, the price of the ordinary ox was five drachmas (1 thr. 6 g. gr. or 85.5 cts.), which was five times the price of a sheep.<sup>3</sup> Animals selected for sacrifice were, in the sixteenth of the tables of the laws of Solon, estimated at prices many times higher, although compared with later prices they were very low.<sup>4</sup> In Lusitania, according to Polybius, the ox was worth ten drachmas, a calf the half, a sheep only the fifth of that price. In Rome the value of an ox was tenfold that of a sheep.<sup>5</sup> If, therefore, in the time of Athens's highest prosperity a sheep, as will soon be made evident, cost, according to its age and breed, and according to the fluctuation of prices, from ten to twenty drachmas, an ox may be estimated at from fifty to one hundred drachmas ( $12\frac{1}{2}$  to 25 thr. or \$8.55 to \$17.10). 5,114 drachmas were given, Olymp. 92, 3, (B. C. 410,) for a hecatomb. If, as is probable, one hundred oxen were bought for that sum, the price of an ox at that time was about fifty-one drachmas. But in Olymp. 101, 3 (B. C. 374) a hecatomb of 109 oxen cost 8,419 drachmas, averaging  $77\frac{1}{4}$  drachmas a head. In both the preceding cases animals selected for sacrifice are meant.<sup>6</sup> In Olymp. 100, 1, (B. C. 380,) in a decree of

<sup>1</sup> Pollux, IX. 61.

<sup>2</sup> Compare the Metrol. Unters. p. 121 seq. Also the Euboic coins frequently have this impression.

<sup>3</sup> Plutarch, Solon, 23, from Demetr. Phal.

<sup>4</sup> Plutarch, the same.

<sup>5</sup> Hamberger in the work already cited; Taylor on the Sandw. Marbles, p. 37. Compare Metrol. Unters. p. 420 sqq.

<sup>6</sup> See Inscript. I. Pryt. 2, and Barthélemy on the same in the Mém. of the Acad. of Inscript. Vol. XLVIII. p. 355; also Inscript. VII. § 5. Compare Taylor on the Sandwich Marbles, p. 36. In a catalogue of confiscated goods offered for public sale, which was made before the time of the Archonship of Euclid, and which may be found in Rangabé's Antt. Hell. No. 349, p. 403, *βόε δὲ[ο]* might be read in the last line. To these words belong the characters ΔΔ (20 dr.). But I make no account of this. The inscription is so mutilated that it cannot well be completed. It may with more probability be assumed, with Rangabé, that ox-hides are there meant; and, indeed, more than two, since the preceding line is to be referred to the same subject.



the Amphictyons at Delphi,<sup>1</sup> the price of one hundred Æginetan staters was fixed for the choicest of the most valuable bulls offered in the sacrifice, which was called the hero-bull (βούς ἥρωος), and also the leading bull (βούς ἡγεμὼν). This stater was a didrachmon, and if it be estimated in round numbers according to the value of the reduced standard, one hundred such staters amount to three hundred Attic drachmas (75 thlr. or \$51.30). A bull of that description, however, was so highly valued, that Jason of Pheræ offered a golden garland, as a prize for that city which should have raised for the Pythian sacrifice, the handsomest leading bull. The value of one hundred drachmas for an ox, which was given as a prize of victory at Athens after the time of the archon Euclid, is mentioned in an inscription.<sup>2</sup>

In Sicily, so rich in herds of cattle, the prices, in the time of Epicharmus, were, as it appears, the same as at Athens in the time of Solon. For a fine calf cost, according to that comic author,<sup>3</sup> ten nummi, or two and a half Attic drachmas.<sup>4</sup> And since the value of a full-grown ox, according to the relation of the Lusitanian prices, may be assumed to have been twice that amount, a bull might at that time have cost in Sicily twenty nummi, or five drachmas of Attic money. It may, it is true, be assumed, however, that the price at times was also much higher.<sup>5</sup> In Massalia, in the vicinity of which city there was an abundance of neat cattle, the price of ten shekels, or Babylonian-Æginetan didrachmas of full weight, ( $33\frac{1}{3}$  Att. drachmas,)

<sup>1</sup> C. I. Gr. No. 1688, with the notes, in which the stater, contrary to my later conviction, is supposed to have been the same as the tetradrachmon, and the Æginetan money to have been of full weight. Upon the value of the reduced Æginetan money in round numbers, see above, chapter 4th. In the Metrol. Unters. p. 423, I have assumed the stater, in the estimation of the value of the above-mentioned one hundred Æg. staters, to have been still less.

<sup>2</sup> In a Panathenæan Inscription Ephem. Archæol. No. 136, among the νικητηρίαι: Η εἰσφορά φυλῇ νικῶσῃ βούς, also Η φυλῇ νικῶσῃ βούς, and ΔΔΔ λαμπαδηφόροι νικῶντι ἰδ[ρία]. Here the sum of one hundred drachmas appears to have been given as the value of a bull. In the inscription of Ilion C. I. Gr. No. 3599, 150 Alexandrian drachmas were paid to each tribe for the purpose of procuring a sacrifice, and there were to be procured and offered, from that sum, a cow, a male sheep, and pastry.

<sup>3</sup> In Pollux, IX. 80. Compare Metrol. Unters. p. 316.

<sup>4</sup> Compare chap. 4th above. At the most a trifle might be added, if the nummus should be assumed to have been the same as the Æginetan obolus of full weight.

<sup>5</sup> Compare Metrol. Unters. p. 316, and p. 422 seq.

appears to have been paid to the priest in the fourth century before Christ, for a bull for sacrifice, including the fees for the same. This is shown by the tariff of prices established by the Carthaginians for their temple at that place. Half that price was paid for a young bullock, or for a ram.<sup>1</sup> In the Talmudic book *Mischna Menacoth*,<sup>2</sup> the value of a bull offered in sacrifice in consequence of a vow, whether with or without a drink-offering, is fixed at a mina (fifty selas or shekels), of a calf at five selas or shekels, of a ram at two, of a lamb at one sela, together with a drink-offering for each. This price of the bull is very high, five times that at Massalia. A suckling pig was bought at Athens in the Peloponnesian war for three drachmas, (18 g. gr., or 51.3 cts.)<sup>3</sup> A lambkin of moderate size, selected for sacrifice, is estimated in Menander<sup>4</sup> at ten drachmas ( $2\frac{1}{2}$  thlr., or \$1.71). In the time of Lysias, the price could not have been less; else the knavish guardian mentioned by this orator, even if he intended to overcharge the articles in his account ever so much, could not have charged sixteen drachmas for a lamb to be offered in sacrifice at the festival of Bacchus.<sup>5</sup> The speech against Euergus and Mnesibulus gives, moreover, a remarkable but not entirely definite statement. Theopompus had taken from the person represented as the speaker fifty fine-wooled sheep, together with the shepherd, and a slave, with a costly water-urn, and some shepherd's instruments besides.<sup>6</sup> But the person represented as the speaker owed Theopompus a fine in money, which, together with the epobelia and the prytaneia amounted to 1,313 drachmas and two oboli.<sup>7</sup> He contended that the sheep which were taken away, together with the shepherd, were worth more than the fine.<sup>8</sup> If we estimate the shepherd worth, at a high rate, over three minas, there remain for the

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<sup>1</sup> Movers, *das Opferwesen der Karthager*, p. 77 sqq. I omit other examples in the same work.

<sup>2</sup> XIII. 8. Comp. Movers, p. 81 sqq.

<sup>3</sup> Aristoph. *Peace*, 373.

<sup>4</sup> In *Athen.* IV. p. 146, E; VIII. p. 364, D. Spohn. *Lectt. Theocrit. Spec.* I. p. 23, understands the phrase *προζύτιον ἀγαπητὸν* differently; ovicula "qualis ad sacrificium apta, et accepta diis habebatur." I doubt whether this is correct.

<sup>5</sup> Lysias against Diogeit. p. 906.

<sup>6</sup> P. 1155. These sheep are called *πρόζατα μαλακά*.

<sup>7</sup> P. 1158, 24; p. 1162, 20; p. 1164, 10.

<sup>8</sup> P. 1156, 15, 23. Comp. p. 1164, 5.

value of the fifty sheep one thousand drachmas. According to this, a full-grown fine-wooled sheep was worth at least twenty drachmas (5 thlr. or \$3.42). I have found nothing respecting the value of goats, which were very numerous in Attica, except that in Isæus<sup>1</sup> one hundred head, together with sixty sheep, a horse, and some implements and furniture, are estimated at thirty minas. As an example of luxury, it may also be cited that Alcibiades bought a dog for seventy minas, which he immediately deprived of that which constituted his especial beauty.<sup>2</sup> I will add here a remark respecting the hides of animals. For the green hide of each full-grown head of cattle offered in sacrifice, three drachmas were allowed the priests, according to a tariff of prices relating to sacrifices, established about Olymp. 100 (B. C. 380-77);<sup>3</sup> ox-hides, doubtless, were meant. There is a passage in Theocritus<sup>4</sup> respecting sheepskins, which relates, however, to an account of a foolish bargain, and is therefore useless for our object.

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## CHAPTER XV.

### OF GRAIN AND BREAD.

THE subject of grain requires a more ample investigation. Attica needed a considerable importation of grain. No state then existing, Demosthenes asserts, needed so large a quantity.<sup>5</sup> The Athenian ambassadors, according to a passage in Livy,<sup>6</sup> boasted that they had delivered to the Roman consul and prætor one hundred thousand measures of grain, although their state

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<sup>1</sup> Concerning the Estate of Hagn. p. 293. Still more indefinite is the passage concerning the Estate of Philoctem. p. 140.

<sup>2</sup> Plutarch, Alcib. 9; Pollux, V. 44.

<sup>3</sup> Published by me in the Preface to the Catalogue of Lect. of the Univ. of Berlin, for the winter 1835-6, (Eph. Archæol. No. 117, 118,) A. § 3, B. § 2. The passages are indeed mutilated, but could have contained nothing else.

<sup>4</sup> XV. 18, and Spohn upon the passage Lectt. Theocr. I. p. 22 sqq.

<sup>5</sup> Dem. concerning the Crown, p. 254, 21, and against Lept. p. 466, 467.

<sup>6</sup> XLIII. 6.

needed importations for the use of the inhabitants. But how much did Attica need? How much could it itself produce? How much was it requisite to import? To answer these questions, the ability to answer which correctly the Athenians considered one of the qualifications of a statesman,<sup>1</sup> is much more difficult to us moderns, and yet it is necessary to a knowledge of the relations of the subject. I undertake it, well aware, however, that I may be mistaken in the conclusions to which I may come.

According to the exposition given above, the population of Attica may be assumed to have been 135,000 free inhabitants, and 365,000 slaves. An adult slave received, according to reliable accounts, a chœnix, or the forty-eighth part of an Attic medimnus of grain<sup>2</sup> daily, and needed, consequently, in an ordinary year of 354 days,  $7\frac{3}{4}$  medimni. The same quantity of barley, prepared for eating, is estimated for a servant in a treaty respecting the provision to be furnished for the Spartans who were on the island near Pylos; but for a Spartan certainly double that quantity.<sup>3</sup> The Roman slaves received from four to five modii monthly; yearly, therefore, from eight to ten medimni.<sup>4</sup> If we assume that there were among the slaves 25,000 children, so young that they needed considerably less nourishment, the remaining 340,000 would consume yearly 2,507,500 medimni. In this calculation we have not taken into consideration that the women would require less than the men. If we estimate four medimni annually to have sufficed for a very

<sup>1</sup> Xenoph. Mem. Soc. III. 6, 13. Compare Aristot. Rhet. I. 4.

<sup>2</sup> See below in this Chap.

<sup>3</sup> Thucyd. IV. 16.

<sup>4</sup> See Dureau de la Malle Econ. Polit. des Romains, Vol. I. p. 274 seq. He, however, will not admit the account of four modii, which is found in Donatus. He seems to me to give too much weight to the rhetorical passage of Sallust cited by him. The agricultural laborer received, according to Cato, on an average, daily three pounds Paris market-weight of bread. The grain which the Roman soldier received affords, according to Dureau de la Malle, no criterion of his consumption, since it was given for whole months as part of the pay, and was different according to the different description of troops to which it was delivered. The infantry received for each man, at the most, two thirds of a medimnus monthly; the Roman trooper, beside the barley, two medimni of wheat; the trooper of an allied power only one and one third medimnus. The Attic measure is intended throughout in this account, (Polyb. V. 39). The allowance for his servant is, without doubt, included in that of the trooper.



young child of a slave, the whole slave population would have needed 2,607,500 medimni annually. Among the free population a much greater number is to be allowed for very young children. But also the adults, since they enjoyed better food than the slaves, could not have consumed so much grain as they, and the half of them were women, who, in the average, consume less. Six medimni, in the average, for a free person, 810,000 medimni for the whole number of 135,000 souls, are an abundant estimate.<sup>1</sup> So that the whole supply for an ordinary year amounted to 3,417,500 medimni; or, since an exact estimation is impossible, in round numbers, to 3,400,000. In this estimate the amount necessary for sowing, which it is more difficult to determine, is not included. If, moreover, it might be supposed that more was required, since the foreigners also who served in the navy or in the army, had to be supplied, it must be considered that the absence of a great number of soldiers and sailors from Athens rather rendered less requisite, since the army was chiefly supplied from foreign sources. On the contrary, it may be allowed that the necessity of drawing their supplies for their own country from foreign sources, rendered it difficult for the Athenians to hire many mercenaries, who would also need grain.<sup>2</sup>

Now we know that Attica did not produce grain sufficient for the supply of its wants. Grain was brought to the market in the Piræus from all quarters, from Pontus, that is particularly from the Taurian peninsula, or the Cimmerian Bosphorus, from Thrace, Syria, Egypt, Lybia, Sicily.<sup>3</sup> We are best acquainted with the importation of grain from Pontus, or the Taurian peninsula, where the seed sown produced, without cultivation particu-

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<sup>1</sup> I have designedly given a large estimate, since the Greeks seem, relatively, to have consumed a great deal of grain. But that a free person used more grain than a slave, as Dureau de la Malle, in the work above cited, p. 275, supposes, I have not been able to convince myself; except that for the warriors, namely of the Spartans, more is estimated. Six medimni, if we estimate the medimnus of wheat with Dureau de la Malle, (Vol. I. Table 8,) who makes this measure smaller than I do, at eighty pounds Paris market-weight, weighed 480 lbs.; while a Parisian does not consume a pound daily. (See the same, Vol. I. p. 273.) Barley, indeed, weighs considerably less. We have estimated much more, therefore, for an adult slave.

<sup>2</sup> Xenoph. Hist. of Greece, VI. 1, 4.

<sup>3</sup> Theophrast. Hist. of Plants, VIII. 4. Compare Barthel. Anach. Vol. IV. Chap. 55; Wolf on Lept. p. 253; Meursius F. A. Chap. IV. and many passages in the orators.

larly careful, thirty fold.<sup>1</sup> For this reason Byzantium was a highly important place for the Athenians. And partly for this very reason Philip of Macedonia, also sought to make himself master of that city.<sup>2</sup> From the Thracian Chersonesus, probably from the Attic cleruchiæ, some private individuals procured grain in the time of Lysias.<sup>3</sup> From the other countries a part of the grain obtained was imported by the Attic merchants, and also Cyprus and Rhodes engaged in the carrying trade. From the former island quite large fleets of vessels, conveying grain, came to Athens in the time of Andocides. We find in Lycurgus, an account respecting the latter island.<sup>4</sup> But it needed itself, however, importations of grain, and, according to Polybius, in later times procured it from Sicily. Add to this that Eubœa, occupied in the time of Pericles and Alcibiades by colonies (κληρονομία) furnished grain, and other necessities of life. These, before the Spartans took possession of Decelea, were imported by way of Oropus. After that event they had to be shipped around Sunium, which on that account was fortified.<sup>5</sup> There must, consequently, a great quantity of grain have been imported, although it was not all intended for domestic use, but some of it to be sold in the Piræus to foreigners. The more surprising, therefore, appears the account of Demosthenes,<sup>6</sup> that the importation from Pontus, which did not amount to more than four hundred thousand medimni, was nearly equal to the importation from all other countries; so that the whole importation, according to his account, without reckoning what was not unloaded, but was in the Piræus transferred to others to be exported, would have been a little more than eight hundred thousand medimni. Demosthenes refers to the books of the Sitophylaces. But did he mean to be punctiliously exact in his rep-

<sup>1</sup> Strabo, VII. p. 311.

<sup>2</sup> Demosth. concerning the Crown, as above cited.

<sup>3</sup> Comp. Lys. ag. Diogeit. p. 902.

<sup>4</sup> Andocides concerning his Return, p. 85, 86; Lycurg. ag. Leocr. p. 149; Polyb. XXVIII. 2.

<sup>5</sup> Thuc. VII. 28. Comp. VIII. 4.

<sup>6</sup> Ag. Lept. p. 466, 467. The words: πρὸς τοίνυν ἅπαντα τὸν ἐκ τῶν ἄλλων ἐμπορίων ἀφικνούμενων ὁ ἐκ τοῦ πόντου σίτος εἰσπλέων ἐστίν, do not denote an equality, but only an approximation of the quantity of grain imported from Pontus to an equality with the amount imported from other lands. Of this a clear example may be found Herodot. VIII. 44. Comp. 48.

resentation? All the Attic orators, even Demosthenes, the noblest among them, perverted the truth, in the gentlest manner possible, to the furtherance of their own objects.<sup>1</sup> Certainly the whole importation may be estimated on an average in round numbers at a million medimni. In years of special scarcity, in which Bœotia, so productive in grain, at least after two unfruitful years, needed importation,<sup>2</sup> Attica required much more than the above amount. Taking the above-named middle number as the basis, Attica must have produced 2,400,000 medimni, which in my opinion was not impossible. It is a mountainous country, it is true, but the height of the mountains is not so considerable, that they must necessarily be unproductive. Naked rocks, which certainly occur not unfrequently in Attica, constitute, however, but a small part of the surface; and where the stones were mingled with a little earth, barley could be raised. Art did its part. Besides, the fruitfulness of a land does not depend entirely upon the goodness of its soil, but upon many other circumstances,<sup>3</sup> with respect to which the situation and condition of Attica was not unfavorable. And for the raising of barley, which was the kind of grain most used, Attica was eminently adapted.<sup>4</sup>

We will estimate the area of Attica, at first, only at forty Prussian (six hundred and forty English) square miles, or sixty-four thousand stadia, or two million, three hundred and four thousand plethra. It will not be asked that we should show by means of historical testimony how much of this land was employed in the cultivation of grain. But Attica was certainly very well cultivated, and the possibility can hardly be denied, that so much land may have been employed in the cultivation of grain, as was necessary in order to raise two million four hundred thousand medimni. By the people of Leontium in Sicily,<sup>5</sup> the jugerum, by which is to be understood the Roman measure of land thus named, or one nearly equal to it, somewhat more than

<sup>1</sup> All the orators are inexact in historical matters. Demosthenes concerning the Crown, p. 306, gives the proportion of the Athenian ships to those of the other Greeks, in the naval battle with the Persians, 200 : 100 instead 200 : 178.

<sup>2</sup> Xenoph. Hist. of Greece, V. 4, 54.

<sup>3</sup> Comp. Theophrast. Hist. of Plants, VIII. 7, p. 272 seq. Schn.

<sup>4</sup> Κριθοφόρος ἀρίστη, says Theophrast. VIII. 8, p. 274.

<sup>5</sup> Cic. Verr. II. 3, 47.

$2\frac{3}{4}$  plethra, was sown with about a medimnus of grain. So a bushel (about  $1\frac{1}{2}$  Eng. bushels), which is a little larger measure than the medimnus, is considered seed sufficient, for some sorts of grain, and for some kinds of land, to sow a Magdeburgan acre of 25,920 Rhineland feet (about three fifths of an English acre), a portion of ground not much larger than the jugerum, which contained 28,800 Roman, or 25,591 Rhineland feet. The fertile soil produced, in good years, eight for one; in the best years, ten for one. In Italy, also, six modii, a medimnus, therefore, of barley were commonly sown to the jugerum; of wheat five modii; of spelt ten.<sup>1</sup> If we assume the same proportion of seed for Attica,  $17\frac{5}{11}$  chœnices of barley would be the seed for a plethron, for which we may in estimating use the round number eighteen. If we assume the produce, in the average, to have been seven for one, a plethron in Attica produced  $2\frac{2}{3}$  medimni, and for 2,400,000 medimni 914,286 plethra were requisite. This ratio of the produce may well be assumed, since at the present time when the soil, and the cultivation are both worse, the ratio of produce in Attica, according to Hobhouse,<sup>2</sup> is five or six, and never more than ten for one. Moreover, seed was requisite to sow this land. A seventh part of the above number, therefore, or 130,612 plethra, was required to obtain this seed, and to obtain the seed for these 130,612 plethra again the produce of 18,659 plethra would be requisite, and for the seed of these again 2,666 plethra, and so on. 152,381 plethra would be requisite, therefore, to raise the seed for the whole land; to raise the whole amount of grain 1,066,667 plethra. These produced 2,800,000 medimni, of which the seventh part, 400,000 medimni was employed for seed, so that 2,400,000 are left for consumption. If we deduct these 1,066,667 plethra, which were requisite to obtain

<sup>1</sup> Varro, R. R. I. 44.

<sup>2</sup> A journey through Albania, and other provinces of Turkey in Europe and Asia, to Constantinople, during the years 1809 and 1810. By J. C. Hobhouse, Lond. 1813, Vol. I. p. 411. Concerning the proportion of seed in ancient Italy, and the produce of the soil in different lands, see Dureau de la Malle Econ. Polit. des. Romains, Vol. II. p. 119 sqq. Since the soil of Attica was poor, it may seem, after reading these and other similar accounts, that we have estimated the produce too high, perhaps the seed also, for the soil of Leontium was considered to be particularly good. On the other hand, however, we have estimated the demand very high, and besides, Attica was so distinguished for its productiveness in barley, that it might have yielded the same produce of that grain, that the soil of Leontium did of wheat.



the necessary supply of grain, from the whole number of plethra 2,304,000, of which the area of Attica consisted, there remain 1,237,333 plethra for fallow ground, forests, the cultivation of fruit, and of the vine, (which was raised, however, in part among the barley, since its branches wound around, and ascended the trees,) for pulse, bulbous plants, gardens, pasture and meadow, swamps, water, waste land, roads, and habitations. It is not to be denied that this result seems doubtful. And apparently the circumstances that the produce in barley of the estate of Phænippus, which we have above <sup>1</sup> estimated at 3,200 plethra, was computed to have been only a little more than one thousand medimni, and that, according to the above estimation, only 381 plethra of land were requisite for one thousand medimni of barley, are very unfavorable to that result. That estate, however, was upon the frontiers of Attica, and without taking into consideration that it produced eight hundred metretæ of wine, it must have contained much woodland, since Phænippus obtained daily more than twelve drachmas for wood cut upon it.<sup>2</sup> At all events, the result which we have given is not impossible. The ratio of the land employed in the cultivation of grain to the rest of the land, according to it, was that of 5:6, while in France the arable land, or land employed in the cultivation of grain, is almost the half.<sup>3</sup> I doubt whether much land was allowed to lie fallow in the ancient Attic method of cultivation. I acknowledge, however, that the whole estimate may be fallacious. Reliable data are wanting, as well with respect to the demand, as to the area of the country, the productiveness of the soil, and the amount of grain imported. But, for this very reason, I would not make the determination of the question of the population of Attica dependent upon the estimate of the

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<sup>1</sup> Chap. 11.

<sup>2</sup> Speech ag. Phænip. p. 1045, 5, and 1041, 3.

<sup>3</sup> Dureau de la Malle *Econ. Polit. des Romains*, Vol. I. p. 282. In a treatise in *Mus. Crit.* No. VI. (Vol. II.) p. 215, an estimate is given, according to which, on the supposition of a population of 527,660 souls, and of the importation of eight hundred thousand medimni of grain, not the fifth part of the area of Attica was required to supply its demand. Clinton, in his *Fast. Hell.* in the 2d Vol. (the Vol. that was first published,) p. 392, has given an extract from this treatise. This estimate is singularly opposed to mine, especially since in the same the area of Attica is assumed to be less than I have supposed it.

amount of grain required to supply its demand. With regard to the area of the country we have assumed it in our estimate to have been only forty square miles (640 Eng. geograph. sq. miles). But if, as is determined by another estimation, the true area is forty-seven square miles (752 Eng. geograph. sq. miles), there is a gain of 403,200 plethra. This would render the relation of the land, not employed in the raising of grain, to that which was thus employed, more favorable to the above estimate. I will not institute a comparison of the produce of Laconia with that of Attica, since the estimate of the former, which has been derived from an account given by Plutarch,<sup>1</sup> rests upon erroneous suppositions.

With an importation of almost a third of the demand, which in times of scarcity could not even suffice, there must have been a great deficiency,<sup>2</sup> if appropriate regulations had not been devised. The measures, therefore, for maintaining the supply of grain were upon a large scale. Sunium was fortified, as has been remarked, in order to secure the shipping of grain around that promontory. Armed ships convoyed the fleets which conveyed the grain, as, for example, those which imported it from Pontus.<sup>3</sup> While Pollis, the Spartan, lay with sixty ships of war near Ceos, Ægina, and Andros, Chabrias gave him battle, in order that the vessels conveying grain from Geræstos in Eubœa might arrive at the Piræus.<sup>4</sup> The exportation of grain was absolutely prohibited. It was required by law, that two thirds of the grain which came from a foreign country to the Attic emporium should be brought into the city: that is, only a third of the grain brought into the emporium in the Piræus could be exported from

<sup>1</sup> Lycurgus, 8. Laconia, namely, was divided into thirty-nine thousand portions of land, of which nine thousand belonged to the Spartans. Each portion produced for the proprietor eighty-two medimni of barley. The whole produce has been estimated according to this account. It was not taken into consideration, however, that these eighty-two medimni were only the compensation for the use of the land, or rent paid by the Helots; that it is uncertain, whether the passage is to be understood as referring only to the portions belonging to the Spartans, or whether the other portions were also intended to be included; finally, that the Lacedæmonian medimnus was considerably larger than the Attic.

<sup>2</sup> Comp. for example, Dem. ag. Phorm. p. 918, 8; Lept. p. 467.

<sup>3</sup> Dem. concerning the Crown, p. 250, 251; ag. Polycl. p. 1211, 25.

<sup>4</sup> Xenoph. Hist. of Gr. V. 4, 61; Diodor. XV. 34.

it to other lands. The execution of this law was committed to the overseers of the emporium.<sup>1</sup>

In order to prevent, as much as possible, the accumulation of grain, and the withholding it from sale,<sup>2</sup> forestalling it was confined within very narrow bounds. It was not allowed to buy at one time more than fifty back-loads (*γορμοὶ*).<sup>3</sup> The transgression of this law was punished with death. The grain dealers were also not permitted to sell the medimnus of grain at a higher price than one obolus more than they had paid for it. These dealers, who were commonly aliens under the protection of the state, enhanced the price, notwithstanding, by overbidding others in the purchase of grain in times of scarcity, and they often sold it the same day on which they purchased it at an advance of a drachma on the medimnus.<sup>4</sup> Lysias cannot relate particulars enough respecting the profligacy of these extortioners. They were hated full as much as the same class are in modern times. A good part of this hatred must be ascribed to the common prejudice against freedom of trade. "They buy up grain," it is said, "under the pretence of caring for the public welfare, or of having a commission from the magistrates. But when a war-tax is imposed, their pretended public spirit is not maintained. They gain by the public calamities. They are so well pleased with them, that they have the first news of them, or even invent news, as, for instance, that the ships in the Pontus have been taken or destroyed, that ports are closed, that treaties are revoked.

<sup>1</sup> Harpocr. in ἐπιμελητῆς ἐμπορίου, from Aristotle, and Lex. Seg. p. 255. In this latter passage Ἀττικὸν instead of ἁστικὸν is to be written from Harpocr., and the remainder of the passage is to be completed from the same author.

<sup>2</sup> Comp. Plutarch de Curiositate, near the end.

<sup>3</sup> Φορμός, from φέρω to bear, or carry, is properly a wicker or platted basket, in which grain probably was carried. Taylor on Lysias compares with it the cumeras, or cumera of the Italians. Of these there were two kinds, larger and smaller. The latter held five or six modii, about an Attic medimnus, therefore. See Akron on Hor. Sermon. I. 1, 53. Probably the phormus in Athens did not differ much from the medimnus; a medimnus of wheat weighed about from eighty to ninety pounds, and may, therefore, well be considered a back-load. Thus Lucullus, according to Plutarch, caused thirty thousand medimni of grain to be carried after his army by the same number of Galatians. The glosses of the grammarians in the dictionaries, give no information respecting the size of the phormus. The opinion of Petit, however, that the φορμός contained only as much as the κόφινος (three sixteenths of the Attic medimnus) is absurd. See his Leg. Att. V. 5, 7.

<sup>4</sup> See the speech of Lycias against the grain dealers, particularly p. 715, 718, 720.

Even when the enemy are quiet, they harass the citizen by accumulating grain in their storehouses, and by refusing to sell in times of the greatest scarcity, in order that the citizens may not dispute with them about the price, but may be glad to procure grain at any price.”<sup>1</sup> Not even did the retailers obtain any advantage through these grain dealers, as is especially asserted, in favor of forestalling, by the teachers of political economy, that they do at the present day. On the contrary, they suffered from the business, and the conspiracies of the grain dealers, by whom they were even persecuted.<sup>2</sup> Were they not menaced with the punishment of death, says Lysias,<sup>3</sup> they would hardly be endurable. While the agoranomi had the superintendence of the sale of all other commodities, the state, in order to prevent the extortion of the grain dealers, appointed a particular body of officers called the sitophylaces,<sup>4</sup> to have the oversight of this single business. At first it consisted of three men, afterward of ten in the city, and five in the Piræus, probably because their duties were increased. They kept accounts of the grain imported, and beside the oversight of grain, they had also the inspection of meal and bread, that they might be sold according to legal weight and price.<sup>5</sup>

<sup>1</sup> The speech last cited, p. 720, 721 sqq.

<sup>2</sup> The same, p. 726, 727.

<sup>3</sup> P. 725.

<sup>4</sup> The same, p. 722.

<sup>5</sup> Lysias, as above cited, p. 717, mentions three sytophylaces. The other account is derived from Aristotle on the Athenian State in Harpocr. on the word *σιτοφύλακες*. In this passage the words in the manuscripts are: ἦσαν δὲ τὸν ἀριθμὸν ἑ μὲν ἐν ἄστει, ἑ δ' ἐν Πειραιεῖ. Valesius has properly corrected them thus: ἦσαν δὲ τὸν ἀριθμὸν πεντεκαίδεκα· δέκα μὲν ἐν ἄστει. Also, Petit V. 5, 7, saw what should be the true reading, but his correction with respect to the collocation of the words is incorrect, and δέκα is only to be repeated. The mutilated reading in Harpocr. has also been adopted by Suidas. In Photius, the reading is ἦσαν δὲ τὸν ἀριθμὸν πάσαι μὲν πεντεκαίδεκα ἐν ἄστει, πέντε δὲ ἐν Πειραιεῖ, ὕστερον δὲ ἅ μὲν ἐν ἄστει, ἑ δὲ ἐν Πειραιεῖ. The same error is seen here as in Harpocr., and Suid. I conjecture that in the original authority from which the account was derived, the reading was ἦσαν δὲ τὸν ἀριθμὸν πάσαι μὲν τρεῖς, ὕστερον δὲ πεντεκαίδεκα, δέκα μὲν ἐν ἄστει, πέντε δὲ ἐν Πειραιεῖ. Two thirds of the grain had to be brought from the harbor into the city. The number of the sitophylaces in both places agrees, therefore, according to the correction of Valesius, with the division of the grain to be brought into the harbor and city. Moreover, the number πεντεκαίδεκα is the more certain, and that this was the whole number of those officers, may be seen by comparing the article on the word *μετρονόμοι* in Harpocr. The duties of the sitophylaces are clearly designated in Demosth. ag. Lept. as above cited, Harpocr., and Lex. Seg. p. 300. The oversight of bread and prepared grain, is mentioned as early as the time of Pericles. See the ancient comic author (Cratinus, I suppose,) in Plutarch, Praec. Polit. 15.



But the *sitophylaces* themselves, could not sometimes prevent the mischief of overbidding on the part of forestallers, and they were therefore condemned to undergo the most extreme punishments, even death itself;<sup>1</sup> so that one shudders both at the disorder in the execution of the laws respecting grain, and at their terrible severity. Still more injurious were the speculations of the merchants, who, as Xenophon remarks,<sup>2</sup> obtained grain wherever they could procure it, but did not convey it to the first convenient place, but to the one where they had ascertained that it was dearest. Andocides<sup>3</sup> mentions a plot devised to give the Cyprian fleet of vessels conveying grain, which was bound to Athens, another direction. He compelled the devisers of the plot, however, to abandon their design.

No one injured Athens and the other Grecian states, in respect to their supplies of grain, more than Cleomenes of Alexandria, Alexander's satrap in Egypt. He accumulated great hoards of grain, arbitrarily fixed the prices, and, on account of the great number of servants which he employed in carrying on the trade in grain, was able accurately to ascertain the condition of the grain market in all countries. Since he had three classes of persons in his employ, those who sent away the grain, those who accompanied it, and those who received and landed it at its place of destination, he did not allow his ships conveying grain to enter a commercial port before his assistants had given him information how the prices stood. If they were high, the vessels were taken thither, if not they were unloaded at some other place. Hence the prices of grain at Athens rose considerably, until exportation from Sicily proved a remedy.<sup>4</sup> The author of the second book of Aristotle's *Œconomics* gives still further examples of the artifices of this notorious extortioner in the grain trade. In a time of scarcity, when the *medimnus* was sold for ten drachmas, he called the sellers together to ascertain at what price they would sell him their grain. As they were ready to

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<sup>1</sup> Lysias, as above cited, p. 718, 723, 725, near the bottom, and 726 near the commencement. Perhaps the passage in Demosth. ag. Timocr. p. 743, 4, belongs here, according to which, certain persons were in prison who had transgressed the laws respecting grain.

<sup>2</sup> *Œcon.* 20, 27.

<sup>3</sup> Concerning his return, p. 85, 86. The orator, as is well known, was a merchant.

<sup>4</sup> Demosth. ag. Dionysod. p. 1285.

sell it to him cheaper than to the retailers, he paid them the same price which they had received from the latter, but fixed the price of the medimnus at thirty-two drachmas! At a time when in foreign lands there was great scarcity, but in Egypt itself it was more limited, he forbid the exportation of grain. At the suggestion of the nomarchi that the taxes could not be paid, unless the exportation should be allowed, he permitted it, but imposed so high a duty, that little was exported, their excuse for the non-payment of the taxes was taken from the nomarchi, and also a large sum was raised from the duty.

The Athenians sought in many ways to secure or increase the importation of grain. The general law that money should not be lent on the security of any vessel which was not to bring back a return cargo to Athens, in which law grain was expressly mentioned as an article to be brought back,<sup>1</sup> was one of the measures designed to promote this object. And still more was the other law adapted to accomplish it; namely, that no inhabitant of Attica should transport grain to any other place than the Attic emporium. Against the transgressor of these laws that form of action called *phasis* could be brought, and, according to Lysurgus, that called *eisangelia* also, and he could consequently be condemned to death.<sup>2</sup> At the most flourishing period of their power the Athenians also prevented the exportation of grain from Pontus or Byzantium to other cities, except those to which they had given permission to import it.<sup>3</sup> Theophilus asserts,<sup>4</sup> that the dealers in grain at Athens enjoyed immunity from the payment of taxes. This certainly cannot be correct respecting the period of its independence, unless it were merely a tempo-

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<sup>1</sup> See Chap. 9, above.

<sup>2</sup> Demosth. ag. Phorm. p. 918, 5; ag. Lacrit. p. 941, 4; Lysurg. ag. Leocr. p. 156, and the speech ag. Theocrines. With regard to the *phasis*, it is certain from the passage last cited, that this form of action could be brought in the above-mentioned case. With regard to this passage, (p. 1325, 28,) it is particularly to be remarked, that the informer received the half of the forfeited commodities. Compare, in regard to the *phasis* against this crime, the commentators of Pollux, VIII. 47, and Lex. Seg. p. 313, on the word *φαίνειν*. In this latter passage the words *ἡ ἐμπορον ἀλλαχόθι ἐργαζόμενον* can have no other reference than to the subject at present under consideration. On the *eisangelia* in relation to this matter, see Matthiæ Misc. Philol. Part I. p. 231.

<sup>3</sup> See Chap. 9 above.

<sup>4</sup> Theophil. I. 2, according to the corrected text of Salmasius de M. U. V. p. 195, derived from the manuscripts.

rary favor, or unless it be understood in a very limited sense. The Greek word ἀτέλεια has very many significations. It is either a general immunity (ἀτέλεια ἀπάντων), or immunity from the liturgiæ, or from the payment of certain customs, and other taxes.<sup>1</sup> The general immunity from the payment of taxes was given by the Athenians, for example to the Byzantines and Thasians, who had been compelled to abandon their country, and were aliens under the protection of Athens in the time of Thrasybulus,<sup>2</sup> and to Leucon, lord of Bosporus, together with his sons. To Leucon was also granted immunity from the payment of customs.<sup>3</sup> Under this general immunity was comprised the immunity from the payment of customs, from the liturgiæ, (with the exception of the trierarchia, immunity from which was allowed only under certain conditions, designated by law,) from the payment of the money required from aliens for protection, and, in individual cases, from the property tax, and also from sacrifices. The nature of this last immunity I have shown in another place.<sup>4</sup> That the dealers in grain could not have had this general immunity, is evident from the fact, that they did not enjoy several of the particular immunities. Apart from the general immunity, they might have had in the first place immunity from the payment of customs upon the grain which they imported. But since at Athens the customs on grain were leased to farmers of the revenue,<sup>5</sup> and

<sup>1</sup> See Wolf on Lept. p. LXXI. sqq., and inscriptions here and there. A remarkable incidental declaration of permission to export and import all sorts of goods, free from custom ἐπὶ κτήσει, is in an inscription of Odessus, C. I. Gr. No. 2056, and in one which appears to be of Cios, No. 3723.

<sup>2</sup> Demosth. ag. Lept. p. 474, 475.

<sup>3</sup> Demosth. ag. Lept. p. 466–468. That he enjoyed an immunity from the payment of customs is evident from the connecting together of the immunity granted to him and his sons with that granted by him to all the Athenians, p. 466, 29. This entire immunity appears also to have been once granted to the Thebans and Olynthians (Harpoer. on the word ἰσοτελής), unless by it be intended immunity from the payment of the sum required for protection, and from the liturgiæ, in case any of them should come and dwell at Athens, as aliens under the protection of the state. So the Byzantines granted to the Athenians who came and dwelt at Byzantium immunity from the liturgiæ, beside the rights of citizenship, which were given to all. See the decree of the people, which is, however, of doubtful authority, in Demosth. concern. the Crown, p. 256. Comp. with regard to the atelia, the decree of the Arcadians in Crete, C. I. Gr. No. 1542, 3052, and many other decrees in the inscriptions.

<sup>4</sup> C. I. Gr. No. 82, Vol. I. p. 122 B.

<sup>5</sup> See the speech ag. Neæra, p. 1353, 23.

would have been entirely annihilated, if the importation of grain had been allowed by law to all the dealers in that article, free from the payment of customs, this assertion requires no refutation. That they enjoyed immunity from the payment of customs upon the importation or exportation of other commodities, is still more inconceivable. But is it probable that they enjoyed an immunity from the regular *liturgiæ*? Impossible, since according to Demosthenes so few, as well of citizens as of aliens under the protection of the state, enjoyed immunity from those public services.<sup>1</sup> This orator also would not have failed to have represented the damage with respect to the importation of grain, which would have arisen from abrogating the immunity of the dealers in that article, if such an immunity existed. For in the speech against Leptines he exhibits all the reasons he could find against the repealing of the existing immunities, and particularly speaks of the danger, which might arise with respect to the free importation of grain from the Bosporus, by repealing the immunity of *Lencon*. It may, therefore, be concluded from this speech, either that there was no immunity at all of the dealers in grain, or that it was very limited. At the most, it may be possible, that the aliens under the protection of the state who imported grain were relieved from degrading *liturgiæ*, as the *scaphephoria*, and others of the same nature, or from the payment required of aliens in general for protection.<sup>2</sup> Finally, the assertion of the Scholiast upon Aristophanes<sup>3</sup> is entirely absurd, that the seafaring traders were altogether relieved from the payment of the property tax in Athens. They were not even exempted from the obligation to perform the *liturgiæ*, and to have exempted them from it would even have been extremely unjust. Andocides, although a merchant, performed *liturgiæ*, and indeed having been nominated to that duty, not of his own accord.<sup>4</sup> The truth is, that those who traded by sea enjoyed a certain exemption from military service, subject to particular limitations, so that in certain urgent cases, they were relieved from military

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<sup>1</sup> See Book III. 21 of the present work.

<sup>2</sup> Concerning the latter see Book III. 7 of the present work.

<sup>3</sup> On *Plut.* 905, with an appeal to a very indefinite assertion of Euphronius.

<sup>4</sup> Andocid. on the *Myst.* p. 65. Compare the Inscription, C. I. Gr. No. 213; *Lives of the Ten Orators*, p. 229.



service upon claiming the privilege. This is the immunity which the commentators of Aristophanes and of Suidas have mentioned, without the limitation to cases of urgent necessity.<sup>1</sup> Since, now, exemption from military service also was called *ateleia*,<sup>2</sup> it appears to me most probable, that the pretended immunity of the dealers in grain mentioned by Theophilus was nothing else than this very limited exemption granted to all merchants.

Moreover, Athens had also public storehouses for grain in the Odeum, the Pompeum, the long Portico, and in the dock-yards, where grain, bread, and the like, were sold to the people.<sup>3</sup> It is not, however, perfectly clear, whether the grain stored in them belonged to the state alone, or whether the grain of the dealers, also, was sold and measured out there. The last was certainly

<sup>1</sup> The making of this claim which I have mentioned, is called a *σκήψις*. That by a *σκήψις* a merchant could be relieved from the performance of some public service, is evident from Aristoph. *Plut.* 905, where, in answer to the question whether he is *ἐμπορος*, the sycophant replies, *Ναί, σκήπτομαι γ', ὅταν τύχω*; and from *Eccles.* 1019, where the youth, in order to relieve himself from the service required of him, says: *ἀλλ' ἐμπορος εἶναι σκήψομαι*. If military duty was the service from which the merchant enjoyed an immunity, the wit of the latter passage, as Voss also saw, is very striking in connection with the saying, "*militat omnis amans*." Since an immunity of the trading class from the property-tax is inconceivable, there remain of the words of the Scholiast on *Pluto* only what he says of war and military service, which can be allowed to be correct: *διὸ καὶ ὁ συκαφάντης λέγει, ὅτι ὅταν γένηται τις καιρὸς πολεμον καὶ εἰσφορὰς, ἐμπορον ἐμάντων ἀποκαλῶ*. And afterwards, *προφασίζομαι, φησὶν, ὅτε πέμπομαι εἰς τὸν πόλεμον*. Suidas: *Ἐμπορὸς εἰμι σκηπτόμενος· Ἀριστοφάνης, ἐπὶ τῶν προφασιζόμενων ψευδῆ κατὰ δευλίαν· εἰσάγεται γάρ τις λόγος ὅτι ὅτε πέμπομαι εἰς πόλεμον, σκήπτομαι ἐμπορος εἶναι, ὡς τῶν ἐμπόρων μὴ ἰξυόντων ἐπὶ τῆς στρατίας διὰ τὸ ἐυχρηστον τὰ πρὸς τροφὴν φέροντας*. The meaning of the last vitiated clause of the passage is the same as that of the words of Euphronius in the Schol. on *Plut.* (in an incorrect reference to the property-tax): *ὡς τὴν πόλιν ὠφελοῦντες πλείστα διὰ τῆς αὐτῶν ἐμπορίας*. Schol. *Eccles.* 1019: *προφασίζομαι εἶναι ἐμπορος, ὡς ἐπὶ κινδυνεύοντων, ἐπειδὴ οὐκ ἐστρατεύοντο οἱ ἐμποροί*. That this immunity, however, was a very limited one, may be seen in *Lycurg. ag. Leocrates*, p. 178 seq.

<sup>2</sup> See the speech *ag. Neæra*, p. 1353. But whether the immunity from military service was also comprised in the term *ἀτέλεια ἀπάντων* may be justly doubted, although the military service belonged to the *τέλη*. At least I will not venture to assume it to have been the fact without express testimony to that effect.

<sup>3</sup> Demosth. *against Phorm.* p. 918. Concerning the public sale of grain, see also Schol. *Aristoph. Knights*, 103. Concerning the Odeum, *Lex. Seg.* p. 318. Concerning storehouses for grain in general, *Pollux*, IX. 45, together with the commentators. Concerning the long Portico see above, chap. 9th. Different from this, according to Demosthenes, was the place (*ἐν τῷ νεωρίῳ*) where the wheat bread was sold.

the fact in particular instances.<sup>1</sup> It is also certain, that considerable supplies of grain were purchased at the cost of the state, which must have been deposited in those storehouses. This grain was purchased in part with the revenues of the state, in part by voluntary contributions. A merchant, named Chrysippus, boasted that he, together with his brother, had given a talent for that purpose, and Demosthenes presented the same amount.<sup>2</sup> To make the purchases of grain, officers were appointed, called *sitonæ*. Their office was not an unimportant one, since to obtain it evinced the possession of the especial confidence of the people. There were also other officers appointed, called *apodectæ*, who received the grain, and caused it to be measured. Demosthenes once held the former office, and probably at that time he gave the voluntary contribution.<sup>3</sup> Of course, grain was sold to the people at a very low price. Otherwise voluntary contributions would not have been necessary. Perhaps the grain, which had been bought, was sometimes given to the people gratuitously; for to give a decided opinion in relation to this point, in the failure of adequate accounts, is impossible. Even where one would suppose that there was a reliable account to that effect, the indefiniteness of the expression, and the difficulty of its explanation, oppose invincible obstacles. Thus Demosthenes relates, in his speech against Leptines, that two years before the time at which he was speaking, at a period of scarcity of grain, Leucon had sent so large a quantity, and at so low a price, that there remained a residue of fifteen talents, of which Callisthenes had the management. But it may be disputed whether the residue is meant in the sense in which the commentators suppose,

<sup>1</sup> According to Demosth. as above cited, p. 918, 24-26. See Thucyd. VIII. 90, concerning the long Portico under the government of the four hundred. They compelled the owners of grain to bring thither, and to sell there, all the grain which they had on hand, and all that came in by sea. Concerning the *ἀλφειτοπόλις στοά*, which seems to have been the same as the long Portico, the Schol. Aristoph. Acharn. 547, says: *ὅπου καὶ σίτος ἐπείκειτο τῆς πόλεως*; literally, therefore, it was *the property of the state*. But whether the Scholiast is to be understood rigidly according to the letter may be doubted.

<sup>2</sup> Demosth. against Phorm. p. 918, 27. Decree of the Athenian people at the end of the Lives of the Ten Orators in Plutarch I. and the passage in the Documents relating to the Athenian Marine, to which in my work on the same, p. 229, I have referred. Theoph. Char. 23, does not appear to relate to this subject.

<sup>3</sup> Pollux, VIII. 114; Demosth. concerning the Crown, p. 310, 1.

namely, that these fifteen talents, which were a part of the money appropriated for the purchase of grain, had not been used, or whether they remained as a clear gain to the state after the sale of the grain, because it was bought at so low a price.<sup>1</sup> To this consignment of grain, moreover, the account of Strabo,<sup>2</sup> which must have related to some definite period, is with probability referred, namely, that Leucon sent 2,100,000 medimni of grain from Theudasia to the Athenians. And it is conceivable that this amount may have been sent in one year. For since Attica, according to our supposition, needed annually 3,400,000 medimni, of which in general it could itself produce 2,400,000, only about the half of that amount might probably in an unfruitful season have been produced in it, and since the other grain-producing countries, on account of the general scarcity, might have furnished none, Leucon might almost alone have supplied the deficiency.

Gratuitous distributions of grain (*σιτοδοσίαι*) in isolated instances, occurred at Athens. In Rome they were very frequent. In both places they were made for the purpose of pacifying the poorer classes.<sup>3</sup> Especially were the presents which were sometimes given to the people by foreign governments, gratuitously distributed. Thus Demetrius, the Besieger of cities, Olymp. 118, 2 (B. C. 307), promised the Athenians 150,000 medimni of wheat, as a present from his father.<sup>4</sup> Thus, according to a de-

<sup>1</sup> The passage, p. 467, 14-17 reads thus: Ἀλλὰ προτέρυσι σιτοδείας παρὰ πᾶσιν ἀνθρώποις γενομένης οὐ μόνον ἡμῖν ἱκανὸν σίτον ἀπέστειλεν, ἀλλὰ τοσοῦτον ὥστε πεντεκαίδεκα ἀργυρίον τάλαντα, ἡ Καλλισθένης δώκησε, προσπεριγενέσθαι. It is manifest that τοσοῦτον is to be written here with Hier. Wolf; compare on this point the remark of Fr. Aug. Wolf, on Lept. p. 257, 258. The fact occurred about Olymp. 105, 4 (B. C. 357). The ambiguity lies particularly in the word προσπεριγενέσθαι. It might be said that, if Demosthenes intended to designate merely the residue of the money appropriated for the purchase of grain, he would have used the word περιγενέσθαι; and that προσπεριγενέσθαι denoted the acquisition of the residue, namely, by selling to the citizens. But I will not venture to rely on that suggestion. Sale to foreigners is not conceivable. What Bake has written upon this passage has been subjected to an examination by C. Fr. Hermann, Gött. gel. Anzeigen, 1849, No. 100, p. 1037 seq. which renders further discussion unnecessary.

<sup>2</sup> VII. p. 311.

<sup>3</sup> Aristoph. Wasps, 714. The word σιτοδοσία is found in Pollux, VIII. 103, with the remark taken from Andocides, that when such distribution was made, controllers (*ἀντιγραφῆς*) were employed.

<sup>4</sup> Plutarch, Demetr. 10; Diodorus, XX. 46.

cree composed in the year when Diotimus was Archon, probably in Olymp. 123, 3 (B. C. 286), Spartocus, the son of Eumelus, king of a district of country lying on the Bosporus, who reigned from Olymp. 119, 1 (B. C. 304) twenty years, sent, at the first-mentioned date, to the people over ten thousand, probably, according to Raoul-Rochette, twelve thousand medimni of grain. That is, as I suppose, one thousand medimni for each tribe.<sup>1</sup> And, according to a decree passed later in the same year, Audoleon, the king of the Pæonians, made a present to the people of 7,500 Macedonian medimni of grain, which, at his own cost, he caused to be delivered in the harbors of the state.<sup>2</sup> Both at the same time congratulated the people upon their again obtaining the unrestricted possession of their city. Even at an earlier period in Olymp. 83, 4 (B. C. 445), during the archonship of Lysimachides, the Athenians received from Egypt, on account of a scarcity, and in compliance with their request, from a certain Psammeticus, of whom we have no other information, forty thousand medimni of wheat, which were divided among the genuine citizens.<sup>3</sup> The

<sup>1</sup> Decree of the Athenian people in favor of Spartocus, C. I. Gr. No. 107. To this a completion was afterwards found, and it has been published in *Ephem. Archæol.* No. 176, and also by Meier in *Int. Bl. der A. L. Z.* 1836, No. 43. Both pieces have been published in connection by Frantz Elemm. *Epigr. Gr.* p. 175 sqq. Concerning the date of this decree, and of the one cited below in favor of Audoleon, see Meier. Concerning the period when Spartocus IV., or, as Diodorus calls him, Spartacus, reigned, see Diodor. XX. 100. The name of the same king is often found in inscriptions of the kingdom of Bosporus. Another, of an earlier date (Spartocus I.), is mentioned in Diodorus, XII. 31, 36, (on which passage see the commentators,) also as king of the Cimmerian Bosporus, another (Spartocus II.), XIV. 93, and still another, (Spartocus III.), as king in the Pontus, in Diodor. XVI. 52, whose successor was his brother Parisades. By the Pontus, in this passage, is meant the kingdom of Bosporus. The name of a fifth Spartocus, son of Pærisades, is found in an inscription, and perhaps there was still a sixth. Concerning all of them, see C. I. Gr. Vol. II. p. 91 sqq., together with the inscriptions, p. 148-159, p. 1001 seq. I omit those published later.

<sup>2</sup> Decree of the people in favor of Audoleon, published by Meier, among others, in *Int. Bl. der A. L. Z.* 1834, No. 31. I suppose that the Macedonian medimnus had the same relation to the Attic, that the Macedonian talent had to the Attic, that is, as five to three; so that Audoleon gave somewhat more than Spartocus. "The harbors of the state" mentioned, were probably other than the Piræus, which at that time appears not to have been in the possession of the Athenians.

<sup>3</sup> Philochorus in the Schol. Aristoph. *Wasps*, 716, where  $\delta \muυπηδων$  are to be written from Plutarch, *Pericl.* 37. Concerning the number of the citizens, compare chap. 7 above.



scholiast of Aristophanes<sup>1</sup> confounds this with another distribution, in which each citizen received five medimni of barley, although he himself perceived that 14,240 citizens could not have received each five from forty thousand medimni. The distribution mentioned by Aristophanes was made about Olymp. 89, 1 (B. C. 424), one year before the representation of his comedy of the Wasps. In this year a military expedition was undertaken, under the command of the Archon Isarchus, to the island of Eubœa. It was at that time expected that great supplies of grain would be received from that island, and for that reason fifty medimni had been promised to each citizen, and also a new examination of the inhabitants with respect to their citizenship had been undertaken. But the citizens received only five medimni each.<sup>2</sup> The distribution of the land in Eubœa, which Aristophanes definitely distinguishes from this distribution of grain, may also at that time have been promised. The distribution of grain, made by Atticus to the Athenians when they had become poor, is well known.<sup>3</sup>

Before determining the prices of grain, I must say something concerning the grain measures. The Attic medimnus for measuring grain contained, according to the ordinary division in trade, six of the measures called sixths (*ἕκτεῖς*), or 48 chœnices, 192 cotylæ (*κοτύλαι*). The last-named measure was used both as a dry and liquid measure.<sup>4</sup> When Pollux, in the fourth book, and others, reckon three cotylæ, instead of four, to a chœnix, this method of reckoning is different from the ordinary and better known method of the Athenians.<sup>5</sup> A chœnix of grain was the common daily allowance of food (*ἡμερησία τροφή*),<sup>6</sup> particularly

<sup>1</sup> Ut sup.

<sup>2</sup> Aristophanes in the text, where the words *ξενίας φεύγων* suggest the examination of the claims to citizenship. These examinations, when distributions were made, were very strict. Concerning the Archon, under whose command the military expedition was undertaken, see Palmer, *Exerc. in Auct. Gr.* p. 783. Compare with this passage the Fragments of Philochorus by Lenz, and Siebelis, p. 51, 52.

<sup>3</sup> Nepos. Att. 2.

<sup>4</sup> Pollux, X. 113; IV. 168; VII. 195. Comp. Athen. XI. p. 479, F; and others.

<sup>5</sup> See Metrol. Unters. p. 201 seq.

<sup>6</sup> Comp. Herodot. VII. 187, (from this passage, to be sure, it might be inferred, that a chœnix was but a small quantity. But it must be recollected that he is speaking of soldiers upon the march, who are always great consumers of provisions). Suidas on the words *Πυθαγόρα τὰ σύμβολα ἦν τάδε*, Athen. III. p. 98, E. Comp. also Book II. 22. In Egypt an artiba, three fourths of the Attic medimnus, thirty-six chœnices,

for slaves. Hence the Corinthians were called by the Pythian priestess, those who measure with the chœnix (χοινικομέτραι), because they kept a very great number of slaves.<sup>1</sup> An athlete, to be sure, could, according to Theophrastus, daily consume at Athens  $2\frac{1}{2}$  Attic chœnices;<sup>2</sup> but in Bœotia he consumed scarcely  $1\frac{1}{2}$  chœnices, because the Bœotian wheat was heavier and more nourishing. This is a proof that of good grain, even the athlete did not need much more than a chœnix. Since Aglais needed for a meal twelve litras of meat, together with a chus of wine, it is perfectly natural that she should eat at the same four chœnices of wheat bread. She was a female trumpeter of great reputation for her performances with the trumpet. Herodorus of Megara, also an extraordinary trumpeter, ate daily six chœnices of wheat bread, eight minas, or, according to other accounts, twenty litras of meat, and drank twice as much wine as Aglais.<sup>3</sup> I omit to mention other gormandizers, an account of whom may be found in Athenæus. The Spartans, also, who used good, but simple food, seem to have been great eaters. Hence each one of them had to furnish, monthly, a medinnus of prepared barley, beside the few other kinds of provisions prescribed, for the common meal.<sup>4</sup> The Spartan me-

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therefore, seems to have been considered a monthly allowance of food; see Frantz, C. I. Gr. Vol. III. p. 303. From the receipts of soldiers in Nubia of a later date, C. I. Gr. No. 5109, nothing definite may be derived with respect to the subject under consideration, since sometimes more, sometimes less, was received for a month. In the fifteenth article, however, a receipt is contained which was given for more than an artiba for a month. But the smaller artiba in common use, while Egypt was under the Roman government, may have been intended in that article.

<sup>1</sup> Athen. VI. p. 272, B.

<sup>2</sup> Hist. of Plants, VIII. 4, p. 265, Schn.

<sup>3</sup> Concerning Aglais, see Poseidippus in Athenæus, X. p. 415 B., and in Ælian, V. II. 1. 26. Athenæus mentions litras, Ælian minas, in reference to the quantity of meat eaten by her at a meal. The latter supposed that litras were minas, but they are only half minas. See above, Chap. 4th. Concerning Herodorus, see Amarantus in Athenæus, X. p. 414, F.; Pollux, IV. 89. The former mentions twenty litras, the latter eight minas, in reference to the quantity of meat eaten by Herodorus. In my Metrol. Unters. p. 294, there is an unessential error in relation to the names of the authorities for the above statements. In that page, line ten onwards, is to be written, "Allerdings setzt Ælian in einer Erzählung von einer grossen Esserin 12 Minen, wo Athenæos (X. p. 415, B.) ebensoviel Litren nannte;" and line 17, "Amarantos (in Athen. X. p. 414, F.)" is to be substituted for "Herodorus."

<sup>4</sup> Ptolemy, Lycurg. 12; Dichearch. in Athen. IV. p. 141, C. Comp. Metrol. Unters. p. 276. In this latter passage, "Dikæarch" is to be read, instead of "Theophrastus."

dimnus, moreover, was considerably larger than the Attic. And two chœnices of prepared barley were estimated for the daily allowance of those Spartans who were blockaded in the island near Pylos.<sup>1</sup> The Athenian prisoners in the Syracusan stone quarries received only half a chœnix, namely two cotylæ of barley, and one of water, daily, and this was their daily allowance for eight months.<sup>2</sup> That a part of the number, with this scanty provision, perished through hunger and thirst in the first seventy days, is not astonishing. The size of these measures, moreover, is ascertained, of course, from the determination of the capacity of the medimnus.

Without regarding the statements of previous authors, I remark as follows: The Attic medimnus contained, like the Sicilian, six Roman modii, and the modius sixteen, the amphora forty-eight sextarii. The Attic medimnus, therefore, contained two amphoræ.<sup>3</sup> But the amphora or quadrantal was the Roman cubic foot. This, since the Roman foot of long measure, according to its approximated value, is equivalent to 131.15 Paris lines, contained 1,305.453 Paris cubic inches.<sup>4</sup> The medimnus, therefore, contained about 2,611 Paris cubic inches. I have become convinced, however, by investigations communicated in another work, that the Roman quadrantal, the capacity of which was determined by weight, was larger according to this method of determining its capacity, and was related to the Olympic cubic foot as 9:10. The Olympic cubic foot was related to the Attic metretes as 20:27. The former contained 1,477 Paris cubic inches;<sup>5</sup> consequently, the medimnus,  $\frac{4}{3}$  of the metretes, or  $\frac{2}{3}$  of the Olympic cubic foot, 2,658.6 Paris cubic inches (3,210.5 English cubic inches). The

<sup>1</sup> Thucyd. IV. 16.

<sup>2</sup> Thucydides, VII. 87; Plutarch, Nic. 29. Comp. Eustath. on Il.  $\chi$ . p. 1282, 15. Diodorus, XIII. 33, asserts that the proposal of Diocles was accepted, namely, that the captured Athenians, Sicilians, and Italians, should labor in prison, and receive daily two chœnices of grain, (XIII. 19). But although in this passage he is relating what happened on another occasion, namely, when they were brought out of the stone quarries, and separated from the rest of the prisoners, yet Diodorus seems to deserve but little credit. He has probably confounded cotylæ with chœnices. There needs no proof for the assertion, that Diodorus is an inaccurate historian.

<sup>3</sup> Metrol. Unters. p. 204.

<sup>4</sup> The Paris cubic inch, according to the Encyclopædia Americana, is equivalent to 1.211355496 English cubic inches.—(Tr.)

<sup>5</sup> Metrol. Unters. Abschn. XV.—XVII.

Prussian bushel contains, according to the present standard, 2,770,742 Paris cubic inches. The Attic medimnus, therefore, contained nearly .96 or  $\frac{24}{25}$  of the Prussian bushel, (1 bushel, 1 peck, 7 quarts, 1.7 pints English measure, or nearly  $1\frac{1}{2}$  bushels).

Of the other measures of grain I will, in accordance with my plan, treat only of the artaba and the Bœotian cophinus. The artaba is partly a Persian-Median, partly an Egyptian measure. The Persian artaba contained, according to Herodotus,<sup>1</sup> a medimnus and three Attic chœnices. Others make it equivalent, according to an estimated valuation, to an Attic medimnus.<sup>2</sup> There were two kinds of the Egyptian artaba. The one, and indeed the more ancient, was equal to the Attic metretes, and to three quarters, therefore, of the Attic medimnus. The other, or nominally more modern artaba, which was in use when Egypt was under Roman government, was equivalent to the Olympic cubic foot, and to five ninths, therefore, of the Attic medimnus. The larger one seems to have been most in use under the dynasty of the Ptolemies.<sup>3</sup> The Bœotian cophinus, which was used both as a dry and liquid measure, contained three choes,<sup>4</sup> consequently one quarter of the metretes, or, since the last-mentioned measure contained 144 cotylæ, thirty-six cotylæ, that is, nine chœnices, or three sixteenths of a medimnos, Attic measure.

The prices of the different sorts of grain were, of course, different. In Sicily and Upper Italy (Italia Superior) the price of barley was only the half of the price of wheat; in Athens it was probably, as in Lusitania, two thirds of the same.<sup>5</sup> The kind of grain, however, is not always designated, when the price is mentioned. The prices from Solon to Demosthenes, as is evident from the examples given in ancient authors, were rising. A great fluctuation, however, is sometimes found in one and the same age, according as the seasons were favorable, the importation increased or diminished, forestalling within and without Attica proved injurious, and the duties on the exportation of grain were in foreign countries high, or were remitted in favor of

<sup>1</sup> I. 192.

<sup>2</sup> Suid. Hesych. Polyæn. IV. 3, 32. Compare Metrol. Unters. p. 243 seq.

<sup>3</sup> Metrol. Unters. p. 242 seq.

<sup>4</sup> Pollux, IV. 169; Hesych. on the word *κόφινος*.

<sup>5</sup> Concerning Upper Italy and Lusitania, see Chap. 10 above. The prices in Sicily and Athens will soon be mentioned.



the Athenians. As an example of the latter, Leucon and Pærisades, kings of Bosphorus, the former of whom was accustomed to take, as a duty, the thirtieth part of the grain exported, granted to the Athenian people an immunity from the payment of all duties on the exportation of the same.<sup>1</sup> The prices were never again so low in Athens as they were in the time of Solon, when the medimnus of grain was worth only a drachma (6 g. gr., or 17.1 cts.)<sup>2</sup> The medimnus of peeled or prepared barley (*ἀλγιστα*) was worth, in the time of Socrates, two drachmas (12 g. gr., or 34.2 cts.); four chænices were worth an obolus.<sup>3</sup> We are not to understand by *ἀλγιστα*, however, barley prepared after the manner in use at present. But when Diogenes the Cynic estimated the chænix of prepared barley to have been worth in his time two chalci, the medimnus, consequently, two drachmas,<sup>4</sup> this must have been intended for those years in which the prices were lowest. For, at the time mentioned, the common price at Athens was already much higher. One of the characters in a comedy of Aristophanes<sup>5</sup> asserts, that he had lost a hekteus of wheat, because he had not been present in the assembly of the people, and consequently, had not received the triobolon. From this it may be inferred, that about Olymp. 96 and 97 (B. c. 396 and 392), the medimnus of wheat cost three drachmas (18 g. gr., or 51.3 cts). This corresponds with the above-mentioned price of barley. About Olymp. 100 (B. c. 380), in the tariff of fees for sacrifice (*ἱερῶσιννα*), the price of three oboli is fixed for the twelfth of a medimnus (*ἡμικτεῶν*) of wheat.<sup>6</sup> At that rate, the price of the medimnus would be six drachmas. It is my opinion, however, that the medimnus at that time could have hardly cost more than three drachmas, but that a considerable profit was allowed to the priests. But in the time of Demosthenes, and indeed after the expedition of Alexander against

<sup>1</sup> Demosth. against Lept. p. 467; ag. Phorm. p. 917, 25.

<sup>2</sup> Plutarch, Solon, 23. Petit. Leg. Att. I. 1, 3, wishes to introduce eighteen drachmas, instead of one, into the text!

<sup>3</sup> Plutarch concerning Tranquillity of Mind, 10; Stob. Sermon. XCV. p. 521. Comp. Barthél. in the Memoirs of the Acad. of Inscript. Vol. XLVIII. p. 394, concerning the price of grain.

<sup>4</sup> Diog. L. L. VI. 35.

<sup>5</sup> Eccl. 543.

<sup>6</sup> Published by me before the Catalogue of the Lect. of the Univ. of Berlin for the winter of 1835-1836; Ephemer. Archæol. No. 117, 118.

Thebes, five drachmas (1 thr. 6 g. gr., or 85.5 cts.) were already a current price, at which, in times of scarcity, well-meaning merchants sold wheat. Chrysippus, for example, sold ten thousand medimni at that price.<sup>1</sup> According to the speech against Phænippus,<sup>2</sup> the price of barley itself must have been six drachmas, since eighteen drachmas are said to have been three times the former price.

The prices in the other Grecian states were not very different from those in Attica. In the second book of the *Œconomics* of Aristotle, it is related that the price of prepared barley at Lampsacus was four drachmas (1 thr., or 68.4 cts.), but that, in order to derive a profit from it, it was fixed by the state, on a particular occasion, at six drachmas. In Olbia, in the vicinity of the Cimmerian Bosphorus, so productive in grain, we find, so far as we can judge from the inscription cited below, prices for the medimnus of wheat mentioned, probably in the first or second century before Christ, of two, four, to eight drachmas.<sup>3</sup> In Sicily the Romans, in the year of the city 680 (B. C. 74), fixed for their supplies of grain the price of the *frumentum decumanum alterum* at three sesterii the modius; of the *frumentum imperatum* at four; of the *frumentum æstimatum*, of wheat at four, and of barley at two sesterii the modius—with the stipulation, that the grain should be delivered at any place in Sicily appointed by them. This price could not have been very high at that time, for the Romans could not have been willing to buy their grain at a high rate. It was also a price which, according

<sup>1</sup> Demosth. ag. Phorm. p. 918. This price is called in this passage ἡ καθεστηκνία τιμή. Letronne, *Consid. gén.* p. 113, understands by this a set price or assize. But this would rather be called ἡ ὀρισμένη. It is also evident from the passage itself, that there was no assize of grain at that time. Καθεστηκνία is the ordinary, customary, current price, just as it happens to be at any particular period. (Demosth. ag. Dionysodor. p. 1285.) It may in this passage have been opposed to the exorbitant price of sixteen drachmas, to which, at that time, the price of grain had risen. Since, however, the person who is represented as speaking, asserted that he had imported ten thousand medimni of grain, and had sold it at the καθεστηκνία τιμή, the price there intended was perhaps the so-called cost price. Chrysippus sold at the same price at which he had bought, as did Andocides, for instance, who, in his speech concerning his return, p. 81, says: Οὐκ ἐθίλῃσα πράξασθαι πλέον ἢ ὅσον ἐμοὶ κατέστησαν (οἱ κωπύε). There can be no doubt that ἐμοὶ may have been omitted by Demosthenes, just as in German *mir* (and in English *to me*) may be omitted in the corresponding phrase.

<sup>2</sup> P. 1048, 24.

<sup>3</sup> C. I. Gr. Vol. II. p. 124.

to Cicero's testimony, the husbandmen could bear. Consequently, at that time the medimnus of the frumentum decumanum alterum was estimated at eighteen sestertii (about 1 thr. Pr., or 68.4 cts.); the medimnus of the frumentum imperatum, and æstimatum of the barley at twelve sestertii (about 16 g. gr. Pr., or 45.6 cts.); of the wheat at twenty-four sestertii (about 1 thr. 8 g. gr. Pr., or 91.2 cts.). At a period in the prætorship of Verres, the price of the modius of wheat was in trade only from two to three sestertii; of the medimnus, therefore, from twelve to eighteen. For example, the price of fifteen sestertii is mentioned.<sup>1</sup> In the year of the city 818, A. D. 65, the price of three sestertii for a modius, of eighteen, therefore, for a medimnus of wheat, was considered low in Rome.<sup>2</sup> And yet the silver money was worth at that time only seven eighths of that, which was coined in the time of the Republic, so that eighteen sestertii were equivalent to about twenty-one g. gr. (59.85 cts.). In earlier times, grain in Sicily also, as we may infer from the prices of cattle,<sup>3</sup> must have been much cheaper. It would not be unimportant to learn the Egyptian prices of grain. We know, however, only that, at a period during the dynasty of the Ptolemies, the Egyptian spelt, (for so indeed we may translate the word *ὀλύρα*,) was estimated at two drachmas of silver the artaba. It appears that by these we must understand half Æginetan drachmas of full weight; so that the artaba of spelt, commonly cost  $1\frac{1}{2}$  Attic drachmas. If by this artaba is intended, as appears probable, the larger artaba of three fourths of an Attic medimnus, then the Attic medimnus of spelt was worth, according to the common estimation, 2 dr.  $1\frac{1}{3}$  ob. Attic. The artaba of wheat, at the period of the dynasty of the Ptolemies, was worth, in common estimation, one hundred drachmas of copper. If sixty of these were equivalent, as Letronne estimates them to have been, to a silver drachma, then the artaba of wheat cost  $1\frac{2}{3}$  Egyptian silver drachmas, or the same number of half Æginetan drachmas, or 1 dr.  $2\frac{1}{3}$  ob. Attic, and consequently, the Attic medimnus of the same 1 dr.  $5\frac{1}{3}$  ob. Attic. But in times of scarcity, the price

<sup>1</sup> Cic. Verr. Frument. 74, 75, 81, 84.

<sup>2</sup> Tac. Ann. XV. 39. I have treated in the Metrol. Unters. p. 416 sqq. concerning the prices of grain at Rome in the most ancient periods. Comp. also, concerning the Roman prices of grain in general, Letronne, Consid. gén. p. 115 sqq.; Dureau de la Malle Écon. polit. des Romains, Vol. I. p. 105-111.

<sup>3</sup> See Chap. 14, sup.

of an artaba of the Egyptian spelt rose to three hundred drachmas of copper, to five Egyptian drachmas of silver, therefore, or 4 dr. 1 ob. Attic, and, consequently, the Attic medimnus of the same to 5 dr.  $3\frac{1}{3}$  ob. Attic.<sup>1</sup> These prices are so moderate, that the suspicion might arise that the smaller artaba was intended, or the money estimated at too low a value. The common prices in Egypt, however, may certainly have been low. The prices were quite extraordinary, when at Athens, grain rose to sixteen, and even barley to eighteen drachmas the medimnus; in Olbia the price of the medimnus of wheat to  $13\frac{1}{3}$ , and even to  $33\frac{1}{3}$  dr.; when at Rome in the year of the city 544 (B. C. 210), the price of the Sicilian medimnus of grain rose, according to Polybius, to fifteen drachmas, or rather denarii, and when in the army of Dolabella, to which the transportation of provisions by way of Laodicea was interrupted, the price of the medimnus of wheat was twelve drachmas.<sup>2</sup> From a very vitiated passage of Strattis in Pollux<sup>3</sup> at least as much as this may be derived, that a slave, to the great astonishment of his master, asserts that he had bought a Bœotian cophinus of prepared barley for four drachmas. This gives for the medimnus twenty-one drachmas and two oboli. And from the same grammarian it may be inferred, that an ancient writer mentioned a price for wheat of thirty-two drachmas, doubtless in reference to the above-related extortion of Cleomenes.<sup>4</sup> The price of the medimnus of wheat, when

<sup>1</sup> The proofs of these statements may be found in C. I. Gr. Vol. III. p. 300 seq., as given by Frantz, in which p. 300, line 13 from the bottom: *ex Peyroni* ratione "five-sixths" is to be read, (instead of "two thirds"). That the character  $\asymp$  designates the artaba, which I have said in *Metrol. Unters.* p. 147, appeared to me uncertain, I am at present fully convinced, and nothing can be alleged against it from the prices. Concerning the Egyptian money, see Chap. 14th of the present book.

<sup>2</sup> Demosth. ag. Phorm. p. 918; Speech ag. Phænipp. p. 1045, 4; C. I. Gr. Vol. II. p. 124; Polyb. IX. 44; Cic. ad Fam. XII. 13.

<sup>3</sup> Pollux, IV. 169. Petit, as above cited, estimates from this passage the price of the medimnus at 128 drachmas!

<sup>4</sup> In Pollux, IV. 165, stood formerly the word *τριακονταδιδραχμίπυργοι*, an absurd formation, which nobody but Petit could retain, or wish to correct to *τριακονταδιδραχμόπυργοι*. Unquestionably the reading of the manuscript of Voss, *τριακονταδιδραχμοί πυργοί*, is the correct reading, and, consequently, a price of wheat is designated by it; evidently the price set by Cleomenes. The reading *διδραχμοί* is entirely unwarrantable, and so also is Kühn's conjecture, that it should be read *τριακαίδεκάδραχμοί*. Jungermann's correction, *τριακοντάδραχμοί*, has some probability in its favor, and Bekker's text agrees with it. But, notwithstanding, I consider the reading of the manuscript of Voss correct, with which the reading in Bekker's manuscript C, *τριάκοντα δίδραχμοί*



Athens was blockaded by Demetrius, the Besieger of cities, rose to three hundred drachmas, and in the course of the siege of the same city by Sylla to one thousand drachmas. At a period of the latter siege, even shoes and leathern bottles were eaten. In Casilinum, in which city the Prænestinians were besieged by Hannibal, the price of the same measure rose to two hundred drachmas.<sup>1</sup>

The kinds of bread in use among the Greeks, and, namely, in Athens, were extraordinarily numerous, and the Athenians were inventive in the preparation of many and fine sorts.<sup>2</sup> Athenæus and Pollux, furnish to the amateur in cookery, and in the art of baking, sufficient matter for consideration, in which we do not feel ourselves either disposed, or called, to engage. The most general distinction was, that of wheat bread (*ἄρτος*), and of barley bread (*μᾶζα*). *Ἀλγίτα* denotes sometimes prepared barley, sometimes a particularly fine bread made from it, like cakes.<sup>3</sup> I have not been able to find any clear testimony at all respecting the prices. They were probably high, however, relatively to the prices of grain. For, to infer from the high interest that was prevalent, a great profit must have been derived from the preparation and baking of the bread. In Athens four large, or eight small loaves of bread, were wont to be baked from a chœnix of grain; consequently, one large, or two small ones from a cotyla.<sup>4</sup> In times of scarcity, for example, when grain cost sixteen drachmas the medimnus, a loaf of wheat bread of this kind, probably a large loaf, made from a cotyla of wheat, may have cost an obolus. This may be confirmed by the fact that even at

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is essentially the same. *Δνοκαίτριακοντῷδραχμοί* would certainly have been more in accordance with rule.

<sup>1</sup> Plutarch, Demetr. 33. In this passage *μόδιος* is to be read instead of *μέδιμνος*, Plutarch, Sylla, 13, and Strabo, V. p. 249. In this latter passage, namely, in the account of the occurrences at Casilinum, the medimnus only, without the article measured, is named. This should not have been surprising to a Casaubon, since it so often happens. Pliny, Frontinus, and Valerius Maximus, substitute, it is true, a mouse in this passage for a medimnus of grain. But Strabo was too sensible a man to say what these learned authors ascribe to him, namely, that two hundred drachmas were given for a mouse, and that the sellers died, but the buyers saved their lives. With a mouse?

<sup>2</sup> Athen. III. p. 112, C., and in several other passages.

<sup>3</sup> I refer, passing over many other passages, only to Xenoph. *Œcon.* 8, 9; Plato, *Rep.* II. p. 372, B; Pollux, VI. 78. Concerning *μᾶζα*, compare Chap. 23 of the present book.

<sup>4</sup> Schol. Aristoph. *Wasps.* 438; *Lysistr.* 1208.

that time wheat bread was sold in the Piræus by the obolus-worth.<sup>1</sup> In Alexandria the so-called ἄρτος ὀβελίας, or ὀβελίτης, was sold for an obolus.<sup>2</sup> It was probably sold for the same price at Athens also.<sup>3</sup> From this, however, no conclusion can be drawn with regard to the prices. For the size of the loaf is not known, and the Alexandrian bread just mentioned was not the common but a somewhat costly bread, and was contrasted with the common wheat bread.<sup>4</sup> Moreover, there were much larger loaves baked, as, for example, some from three chœnices of grain.<sup>5</sup> Indeed, at the festival of Bacchus, loaves made from one to three medimni of grain were carried about in honor of the inventive god. These also were called ἄρτοι ὀβελίαι.<sup>6</sup>

## CHAPTER XVI.

### OF WINE, OIL, SALT, TIMBER, AND FUEL.

THE common measure of liquids was the metretes. It contained twelve choë, or one hundred and forty-four cotylæ. To this the size of the vessel in ordinary use (ἀμφορὲς, κάδος, κεράμιον) was accommodated. I have estimated the capacity of the Attic

<sup>1</sup> Demosth. ag. Phormio, p. 918.

<sup>2</sup> See respecting the same and the price, Pollux, I. 248, and in several other passages, Athen. II. p. 111, B, which Eustath. has transcribed to illustrate II. v, p. 390, and Odys. α, p. 39, 38.

<sup>3</sup> If the explanation of the expression ὀβολίας ἄρτους in Aristophanes, Lex. Seg. p. 111 is correct.

<sup>4</sup> Pherecr. in Athen. as above cited, and Nicochares, the comic author, in the same work, XIV. p. 645, C. Moreover, the opinion which is mentioned by Athen. and from him by Eustath., and which satisfied Seber'n, when commenting on Pollux, I. 248, namely, that this bread received its name from its price, is highly improbable, although ὀβολός, and ὀβελός are one word, and originally denoted a bar of metal, a fork, or spit, and afterwards the coin of that name. Comp. Plutarch, Lysand. 17; Pollux, IX. 77, and the commentators, Etym. on the word, ὀβελίσκος, also the commentators of Athen. on the passage above cited, and Taylor on the Sandw. Marb. p. 49. It was undoubtedly named from the forks, or long sticks, or splints of wood, on which what was to be baked in the ashes was stuck.

<sup>5</sup> Xenoph. Anab. VII. 3, 23.

<sup>6</sup> Pollux, VI. 75. Comp. Eustath.

metretes at 1993.95 cubic inches.<sup>1</sup> The Prussian quart of sixty-four Prussian cubic inches, at present in use, contains 57.7237 Par. cubic inches. The metretes contained, therefore, over  $34\frac{1}{2}$  Prussian quarts (about 10 gal.  $1\frac{1}{2}$  pts. Eng. wine meas.), the cotyla 0.24 of a quart (about .56 of an Eng. pint). Who is not surprised, therefore, at the extraordinary cheapness of wine in ancient times, when the prices are read, which, as we have mentioned above, prevailed in the time of Polybius in Upper Italy (Italia Superior), and in Lusitania?<sup>2</sup> According to these  $34\frac{1}{2}$  Pruss. quarts (about ten gal.  $1\frac{1}{2}$  pts. Eng. wine meas.) cost four Attic oboli, or an Alexandrian drachma, equivalent to 4-5 g. gr. (about 11.40 to 14.25 cts.). And since the ancients, without wishing copiously to mingle their wine with water, were wont to temper it with two parts of the latter to one of the former, the ordinary wine, as it was commonly drunk, must have been the cheapest of all the necessities of life. The causes of this have already been mentioned.

Although the value of the metretes of wine was estimated in Lusitania, to have been equal to that of the medimnus of barley, yet in Athens its value, in relation to barley, seems to have been less. For, according to the speech against Phænippus, when the prices were threefold more than they commonly were, barley cost eighteen drachmas the medimnus, but the Attic wine twelve drachmas the metretes.<sup>3</sup> The ordinary price, therefore, of the metretes of wine was four drachmas. This, however, as well as the price of six drachmas for the medimnus of barley, may itself be considered high. But wine may always in earlier times commonly have cost four drachmas the metretes, since it is not to be supposed, that in Attica its price constantly rose in the same degree as that of barley. Three thousand vessels (*περίκτια*) of Mendæan wine were estimated in the record of a contract cited by Demosthenes<sup>4</sup> at six thousand drachmas; at two drachmas (12 g. gr., or 34.2 cts.) the vessel, therefore. In that sum was included the cost of the vessels and other materials used (*εἰς τῶν κατασκευῶν τῶν περὶ τὸν οἶνον*). The cost of the vessels

<sup>1</sup> Metrol. Unters. p. 278.

<sup>2</sup> Chap. 10.

<sup>3</sup> Speech ag. Phænipp. p. 1045, 4, and 1048, 24.

<sup>4</sup> Ag. Laerit. p. 928, near the bottom.

themselves was certainly included. But I cannot conceive how both the vessel and the wine could be afforded for two drachmas, if the vessels were metretæ, which the word (*μετάμια*), in the more confined sense, certainly denotes. For large earthen vessels, however cheap may have been the manufacture of the article, were not of so little value, that they could scarcely be taken into account.<sup>1</sup> We must, therefore, assume that small jugs, which may have been commonly used for containing the Mendæan wine, were meant, since the Mendæan was a choice wine, and was used even in the most sumptuous banquets of the Macedonians.<sup>2</sup> But when Polybius<sup>3</sup> relates that the Rhodians, from the sum of one hundred and forty thousand drachmas, had provided for the Sinopeans, during the war waged against the latter by Mithridates, Olymp. 179, 4 (B. C. 61), ten thousand vessels (*μετάμια*) of wine, three hundred talents of prepared hair, one hundred talents of prepared tendons, one thousand complete suits of armor, four catapultæ, together with the missiles, and attendants for them, and three hundred pieces of coined gold, it will easily be perceived that this could have been possible only upon the supposition of a very low price for wine. For the supposition that the vessels were of the smaller kind, appears not to be admissible. Of the wine, which was called tricotylus, three cotylæ, or about three fourths of a quart, cost an obolus (1 g. gr., or 2.85 cts.),<sup>4</sup> which makes three drachmas for the metretes. But this was, therefore, a wine of far better quality than the ordinary wine, or it appears dearer only because the retailers (*ζάπυλοι*), who sold by the obolus-worth, greatly enhanced the price. Of costly wines the Chian was worth in Athens, even in the time of Socrates, a mina<sup>5</sup> (25 thlr., or \$17.10 cts.) the metretes. Ten oboli for a chus of wine, twenty drachmas, therefore, for the metretes, appear to have been cited in a comic author as an exaggerated

<sup>1</sup> See below, Chap. 19.

<sup>2</sup> Athen. IV. p. 129, D; not to mention other passages respecting the goodness of this wine.

<sup>3</sup> IV. 56.

<sup>4</sup> Hesych. on the word *τρικότυλος* in reference to Aristoph. Thesmoph. 750. Joh. Capellus de mensur. II. 43, thinks that in Pollux, IV. 169, a still higher price is found, namely, four drachmas for three choë; sixteen drachmas, consequently, for a metretes. But he assumes an alteration in the text of the passage, which cannot be allowed.

<sup>5</sup> Plutarch on Tranquillity of Mind, 10.



price.<sup>1</sup> In Diophantus, the Alexandrian mathematician,<sup>2</sup> an author to be sure of a very late date, wines are mentioned which cost five and eight drachmas the chus; sixty and ninety-six drachmas (15 and 24 thr., or \$10.26 and \$16.41.6), therefore, the metretes. This measure, however, may have been larger than the Attic of the same denomination.<sup>3</sup>

Oil, although it was produced in abundance in Attica, Asia Minor, and the islands, may have maintained a higher price on account of its being so much used in ancient times for affording light, in meals, and in the exercises of the gymnasia. I find respecting it, however, in relation to the Greeks, two very different accounts; one in the Attic tariff relating to sacrifices,<sup>4</sup> about Olymp. 100 (B. C. 380), in which, although the valuations appear to be high, the price of three cotylæ is fixed at only one and a half oboli, of the metretes, therefore, at twelve drachmas (3 thr., or \$2.05.2); the other in the second book of the *Œconomics* ascribed to Aristotle.<sup>5</sup> According to this latter passage, the price of a chus of oil was, in Lampsacus, three drachmas, and

<sup>1</sup> Alexis in Athen. III. p. 118, A.

<sup>2</sup> Append. Epigr. to the Anthol. Palat. of Jacobs, No. 19. In the well-known tariff of Diocletian, which was found at Stratonicea, and which Dureau de la Malle in his *Écon. polit. des Romains*, Vol. I. p. 111 sqq., with the assistance of Borghesi, has admirably deciphered, the prices of the Italian wines range from eight to thirty copper denarii for the Italian Sextarius. This measure contained two Attic cotylæ, or 0.48 of a Prussian quart (1.12 pts.), and the denarius of copper is estimated by Dureau de la Malle at 2½ centimes. The prices ranged, therefore, from twenty to seventy-five centimes. This gives for the Attic metretes 576–2,160 centimes, from about six to about twenty-three drachmas of Solon, or from about 1½ to 5¾ Prussian thalers (\$1.02.6 to \$3.93.3). I have mentioned the tariff of Diocletian in this place, by way of exception. I do not elsewhere refer to it, because it belongs to so late a period. I will make this further remark only, that also the import of the fragments of the Greek text of the same, which have lately been found near Carystus in Eubœa, has been ascertained by me.

<sup>3</sup> Comp. Metrol. Unters. p. 242 seq.

<sup>4</sup> See above, Chap. 15.

<sup>5</sup> II. 2, 7. The excise on wine, grain, and other things amounted to half the value. But where the excise on oil was designated, there is a hiatus in the text. It is clear, however, that the chus of oil, after adding the excise, cost four and a half drachmas. But that the excise was only a triobolon upon the chus, as Camerarius translates, is an arbitrary assumption. The view, that an excise of the half of the former price was also laid upon oil, is founded upon the whole connection. I would complete the sentence, therefore, as follows: *καὶ τοῦ ἐλαίου τὸν χοᾶ ὄντα δραχμῶν τριῶν πωλεῖν τεττάρων καὶ τρωβόλου*; and in accordance with this is the price in the text determined.

afterwards, on account of an excise of the half of the price laid on it, four and a half drachmas. The price of the metretes, therefore, without the excise, was thirty-six drachmas (9 thlr., or \$6.15.6) if Attic money is intended.

Salt was measured by phormi, or by medimni and chœnices.<sup>1</sup> Athens, on account of her naval supremacy, could easily import salt, and could procure it most easily from Nisæa in Megaris, so long as that city belonged to Attica.<sup>2</sup> Moreover, Attica itself contained salt springs, opposite Gephyra, on the further side of the river Cephissus, and probably also salt-factories on the sea-coast.<sup>3</sup> I have found nothing, however, respecting the price, except that the Athenians once attempted, by a decree of the people, to reduce the price;<sup>4</sup> and that, in a time of scarcity, when importation by sea was prevented, and the medimnus of wheat cost three hundred drachmas, the price of the same measure of salt was forty drachmas.<sup>5</sup> So that its cost, in ordinary times, seems to have been very moderate.

With regard to timber, large timber for building, particularly for naval purposes, had to be imported from a great distance, and especially from Macedonia.<sup>6</sup> Even palisades, and beams for the mines were imported by sea.<sup>7</sup> Of wood for fuel there was a good supply in Attica, particularly of beech wood. From this, coals were burnt. The inhabitants of the tribal district Acharnæ, in particular, engaged in this business.<sup>8</sup> Men and asses carried coals in baskets, wood for fuel, and fagots into the city.<sup>9</sup> Thus Phænippus sent daily six asses, laden with wood for fuel, from his estate in Cytheron on the frontiers of Attica to

<sup>1</sup> Pollux, X. 169, from the demioprata; Aristoph. Acharn. 814; Aristot. Eth. Eudem. H, 2; Hist. of Animals, VIII. 10.

<sup>2</sup> Aristoph. Acharn. 760, together with Schol. and commentors.

<sup>3</sup> Whether the ἀλμυρίδες (C. I. Gr. No. 103; Hesych. on the word ἀλμυρίδες; Lex. Seg. p. 383, 16) had any connection with salt-works, is a question which I have, in C. I. Gr. No. 103, left doubtful; and I have at present also nothing more to say on that subject. So much, however, is evident, namely, that they were tracts of land situated on the sea-coast, the soil of which was impregnated with salt.

<sup>4</sup> Aristoph. Eccl. 809, and Schol.

<sup>5</sup> Plutarch, Demetr. 33.

<sup>6</sup> Thucyd. IV. 108; Xenoph. Hist. Gr. VI. 1, 4; Dem. ag. Alexand. περὶ συνθηκῶν, p. 219, 14. Compare ag. Timoth. p. 1192, 1; p. 1195, 1.

<sup>7</sup> Demosth. ag. Mid. p. 568.

<sup>8</sup> Aristoph. Acharn.

<sup>9</sup> Pollux, VI. 111; VII. 109.

Athens. This produced, every day, twelve drachmas,<sup>1</sup> so that the burden of wood for an ass is to be estimated to have been worth two drachmas (12 g. gr., or 34.2 cts.). So much small, or brushwood, as was necessary for a small sacrifice, was purchased, according to the tariff relating to sacrifices, for two oboli (2 g. gr., or 5.7 cts.).<sup>2</sup>

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## CHAPTER XVII.

OF MEALS, OPSONIUM, MEAT, BIRDS, FISH, CULINARY VEGETABLES, HONEY, ETC.

THE meals of the Athenians were generally scanty, affording but little relish.<sup>3</sup> The Athenians were called, on this account, "the people who keep small tables" (*μικροτάπεζοι*). But if the common meal cost but little, the sumptuous banquets, on the contrary, accompanied with ointments, female players on the flute and guitar, Thasian wines, eels, cheese, honey, etc., were by no means attended with little expense. They cost, indeed, says Menander, a small talent. In the comedy of Eupolis, called the Flatterers, such a banquet is estimated to have cost one hundred drachmas, and the wine used in it is estimated at the same value.<sup>4</sup> This sufficed at Athens, but was a small sum in comparison with the expense lavished for the revelling of kings. The expense of Alexander's table for from sixty to seventy persons, was daily one hundred minas (2,500 thr., or \$1,710).<sup>5</sup>

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<sup>1</sup> Speech against Phænipp. p. 1041, 3.

<sup>2</sup> In my edition of this tariff (Preface to the Catalogue of Lectures of the Berl. Univ. in the winter 1835-1836) there is a double value given III and II; and I have followed the former in completing the defective passages. But in the passages in which I have given III according to Ross, there stands in the Eph. Archæol. No. 117 the character N, which is to be changed into II. The taxes in that tariff are on such articles always the same, and that of three oboli, therefore, is incorrectly given.

<sup>3</sup> See the comic authors, Antiphanes in Athen. IV. p. 131, E; Lynceus on the same, p. F; Alexis, the same, p. 137, D.

<sup>4</sup> Pollux, IX. 59.

<sup>5</sup> Athen. IV. p. 146, C.

Every thing that was eaten, beside what was prepared from grain, was originally included under the name opson (ὄψον, ὀψώνιον). Plato, for instance, comprises in this term salt, olives, cheese, bulbous vegetables, cabbage, figs, myrtle-berries, nuts, pulse,<sup>1</sup> and, of course, all roots used for food, as radishes, turnips, and similar vegetables, and all sorts of meat and fish that were eaten were included. But gradually the usage was changed, so that fish only, the favorite food of the voluptuary, was understood by the term.<sup>2</sup> Some cabbage and a small fish were bought for the meal of an old man, by a slave in Terence, for an obolus (1 g. gr., or 2.85 cts.).<sup>3</sup> But no one but an utterly shameless niggard, according to Theophrastus,<sup>4</sup> could give his wife only three chalci ( $\frac{3}{8}$  g. gr., or about 1 ct.) to purchase an opson. Three oboli seem to have been sufficient to purchase the opson, unprepared, for a small number of temperate persons.<sup>5</sup> Hence Lysias<sup>6</sup> finds the charge of a guardian for the opson of two boys and a little girl at five oboli (5 g. gr., or 14.25 cts.) very extravagant. The cost of the opson of an Aristippus could not be paid with three oboli;<sup>7</sup> and for the opson of a wedding supper ten drachmas (2 thlr. 12 g. gr., or \$1.71) are thought to be very insufficient by the slave in Terence.<sup>8</sup> Particular, but partly, however, inexact accounts of prices relative to this subject are found as follows: four small pieces of cooked meat cost, according to Antiphanes, an obolus; a piece of meat, such as was received at a meal, probably a rather large piece, cost, according to Aristophanes, half an obolus.<sup>9</sup> In the comic author, Aristophon,<sup>10</sup> a host appears to have received five chalci ( $\frac{5}{8}$  g. gr., or 1.78 cts.) for some small livers and an intestine, probably a sausage. Perhaps it is meant that he received that amount from each one of several guests who ate together. A partridge, for

<sup>1</sup> Athen. VII. p. 277, A; Plato concern. the State, II. p. 372, C. Compare Xen. Econ. 8, 9.

<sup>2</sup> Athen. VII. p. 276, E.

<sup>3</sup> Andr. II. 2, 32.

<sup>4</sup> Char. 28.

<sup>5</sup> Thugenides in Pollux, VI. 38.

<sup>6</sup> Ag. Diogen. p. 905.

<sup>7</sup> Diog. L. II. in the Life of Aristippus.

<sup>8</sup> Andr. II. 6, 20.

<sup>9</sup> Antiphon. in Athen. IV. p. 431, E; Aristoph. Frogs, 562.

<sup>10</sup> Pollux, IX. 70.



which any other person would have paid an obolus, is said to have been bought by Aristippus for fifty drachmas.<sup>1</sup> A dish of Bœotian fieldfares for a festival day cost, according to a passage in Aristophanes, a drachma (6 g. gr., or 17.1 cts.). Seven titmouses, a bird, which where it abounds is very cheap, were not considered dear at an obolus.<sup>2</sup> I will not omit to record, also, that bird-fanciers purchased in the Athenian bird-market a jackdaw for an obolus, and a crow for three.<sup>3</sup>

Athens was supplied with a superabundance of fish, and the small fish, which are of little value in all countries where fish abound, were of course worth but little there also. The small fish called membrades can be bought for four chalci, but eels and tunny-fish cannot be had for that price, says the comic writer Timocles.<sup>4</sup> Of the fish named aphuæ, which, according to Lucian were astonishingly small and light, a large quantity could be bought for an obolus. Their cheapness is particularly mentioned. The sausage-seller, in Aristophanes, advised that a vow should be made to sacrifice one thousand goats to Artemis Agrotera, outbidding in jest the thank-offering for the victory at Marathon, provided a hundred trichides, which were also a small kind of fish, could be bought for an obolus.<sup>5</sup> This, therefore, was impossible. Larger and better fish were dear, and the fishmongers were decried as a shameless and greedy race. For a sea-polypus they demanded four oboli (4 g. gr., or 11.4 cts.); for a cestra, probably a kind of pike, twice that sum; for two cestreis (mugiles) ten oboli. For the last, on the other hand, eight oboli were offered. For a sea-wolf (λάβραξ) ten oboli were asked, without designating what kind of oboli; but when payment was offered, says Diphilus, it appeared that Æginetan oboli were meant.<sup>6</sup> A dish of cooked sea-hedge-hog cost, according to the comic writer Lynceus,<sup>7</sup> eight oboli; a conger

<sup>1</sup> Diog. L. as above cited.

<sup>2</sup> Aristoph. Acharn. 960; Birds, 1079, together with the Schol.

<sup>3</sup> Aristoph. Birds, 18.

<sup>4</sup> In Athen. VI. p. 241, A.

<sup>5</sup> Lucian, The Fisherman, 48; Aristoph. Knights, 646, 660.

<sup>6</sup> Athen. VI. p. 224, C, to p. 227, B.

<sup>7</sup> In Athen. IV. p. 132, B.

(γάγγρος) according to a passage in Alexis,<sup>1</sup> cost ten oboli. Eels, particularly those from lake Copais, were a favorite dish of the Athenians. They were brought, as well as poultry and birds, from Bœotia.<sup>2</sup> An eel cost, in the time of Aristophanes, three drachmas (18 g. gr., or 51.3 cts.).<sup>3</sup>

Salted meat (τάριχος), and particularly salted fish, were exported to distant countries from the Pontus, Phrygia, Egypt, Sardinia, and Cadiz,<sup>4</sup> and were abundant in Athens, but of various qualities. The common sort was considered inferior to fresh meat, and, according to Demosthenes and Aristophanes, was used by the poorer class, and also by the country people. That must have been of an inferior quality, of which a character in a comedy of Nicostratus, or Philetærus,<sup>5</sup> doubtless with much exaggeration, says, that he had bought for two oboli a large piece, worth at least a drachma, which twelve men could not consume in three days. According to a common saying, salted food sufficient for a meal often cost indeed an obolus, but the spices for the seasoning of it two oboli.<sup>6</sup> The comic writer Phillipides<sup>7</sup> estimates the cost of a dish of salted meat for a single person at

<sup>1</sup> In Athen. III. p. 118, A. In the same passage of Alexis are many prices mentioned. They are, however, partly liable to the suspicion of exaggeration, partly useless for other reasons; namely, in some cases, also because the quantity is not given.

<sup>2</sup> Aristoph. Peace, 1005, and the Schol., also the Schol. Lysistr. 703; Pollux, VI. 63; Aristoph. in the Acharn.

<sup>3</sup> Aristoph. Acharn. 961.

<sup>4</sup> Pollux, VI. 48.

<sup>5</sup> In Athen. III. p. 118, E.

<sup>6</sup> Ὀβολοῦ τάρικος, δὲ ὀβολῶν τάρτρυμα, Michael Apostol. XIV. 9. Compare Alexis in Athen. III. p. 117, D; in this latter passage tarichus is mentioned costing an obolus. I omit other prices given in Alexis (in the author above cited, p. 117, E—118, A) for the reason already mentioned.

<sup>7</sup> In Athen. VI. p. 230, A. A keramion of tarichus from the Pontus, cost in Rome, in the time of the elder Cato, according to his own testimony, three hundred denarii, or as Polybius commonly expresses it, drachmas. See Polyb. XXXI. 24. Compare Plutarch, Qu. Symp. IV. 4, 2; in which latter passage the assertion is ascribed to Cato, that a keramion of tarichus cost more than the sum for which a hecatomb of a hundred sheep and a bull would sell. Taking both assertions in connection, an inference might be derived respecting the value of domestic animals at that period. But the result would be too uncertain, and I have, therefore, in the Metrol. Unters. when treating of this subject, paid no attention to this passage. Respecting the price of the tarichus, and respecting the garon, and its price among the Romans, compare also Kohler's Τάρικος (Petersburg, 1832, 4), p. 50 sqq.

from two to three oboli; the capers accompanying it, upon a separate plate, at three chalci.

Of cheese, the Cythnian, as an article of luxury, was much famed. The cheese prepared under this name at Ceos, cost ninety drachmas the talent.<sup>1</sup> If it be assumed that this was the talent of commercial weight, containing nearly ninety minas, a mina, money-weight,  $\frac{1}{15}$  of a Prussian pound (or .96 of an English pound), cost a drachma (6 g. gr., or 17.1 cts.). A common cheese, the weight of which is not given, was bought for one half an obolus.<sup>2</sup>

That the common culinary vegetables, as cabbage for instance, were cheap, scarcely needs to be remarked. The same may be inferred of pulse from a passage in Demosthenes.<sup>3</sup> He says, in designating a time of great scarcity, "you know that pease ( $\acute{\alpha}\rho\acute{o}\beta\omicron\iota$ )<sup>4</sup> were dear." Lupines, a vegetable, which was eaten from the pods, were, according to the assertion of Timocles, perhaps jestingly exaggerating, so dear that eight pods of them cost an obolus, although they were generally measured by the chœnix.<sup>5</sup> A chœnix of olives cost, in the time of Socrates, two chalci<sup>6</sup> ( $\frac{1}{4}$  g. gr., or  $\frac{1}{100}$  of a ct.).

<sup>1</sup> Æschylides concerning agriculture in Ælian's History of Animals, XVI. 32. Compare the commentators on the same and Brøndstead, Ceos, p. 83. Some would substitute even 190 for ninety drachmas. Against this it is sufficient to refer to the remark of Jacobs. But I add to it that it is highly improbable that the number 190 is correct, but that ninety probably is, because it gives a round price for the mina, whether it be reckoned according to the talent of money, or commercial weight.

<sup>2</sup> Diog. L. VI. 36.

<sup>3</sup> Ag. Androt. p. 598, 4.

<sup>4</sup> *Ervum ervilia* L., for which our language has no word; therefore, my translation is not precisely exact.

<sup>5</sup> Timocles in Athen. VI. p. 240, E. Of their use and properties, see Alexis in Athen. II. p. 55, C, and in Pollux, VI. 45, and the commentators on this last passage; also Athen. II. p. 55, F; Columella, X. 115. Concerning the manner of measuring them, see Inscript. XIX. § 3. Whether the chœnices by which they, and olives also, were measured, were the larger chœnices, containing one and a half and three of the chœnices by which grain was measured (compare Inscript. XIX.) I leave undecided.

<sup>6</sup> Plutarch concerning Tranquillity of Mind, 10. In the passage of Plutarch, from which I have derived the information concerning the prices of several articles, it is related that Socrates led a friend of his, who was complaining of the dearness of living at Athens, and was citing in confirmation of the justness of his complaints, the prices of several articles which were particularly dear, to the places where the common necessities of life were sold, and proved to him the cheapness of the latter. That an anecdote of this nature was circulated, under different forms, is not to be

The accounts respecting the price of honey are very diverse. In the tariff relating to sacrifices, which was in use in the period about Olymp. 100 (B. C. 380), the price of a cotyle, about one fourth of a Pr. quart (about .56 of an Eng. pt.) of honey was estimated at three oboli (3 g. gr. or 8.55 cts.). But as early as the times of Socrates the same measure of very fine and costly honey, an article of luxury, was sold for five drachmas (1 thlr. 6 g. gr., or 85.5 cts.).<sup>1</sup> This was certainly very dear. The warm drink, which the ancients drank as we do tea, cost, according to Philemon,<sup>2</sup> a chalcûs, ( $\frac{1}{8}$  g. gr., or .35625 of a ct.).

wondered at. Teles in Joh. Stob. Florileg. 5, (*περὶ σωφροσύνης*), in a fragment first published by Gaisford from the manuscript A, relates it, with other examples of prices, of Diogenes. The high prices were: of a cotyle *τῆς κύπρου* (a perfume), a mina; of an *ἀροκῶλιον* (probably a ham) in a cook's shop, three drachmas; of a sheep in the market for the sale of fine wool (*ἐρια μαλακὰ*), of course a very fine-wooled sheep for breeding, a mina (compare concerning the high reputation of the Attic fine wool, Athen. V. p. 219, A). But sheep of an inferior quality, although fine-wooled, were much cheaper (see p. 106 seq. of the present work). As examples of cheapness, he cites the price of a chœnix of lupines, a chalcûs, in great contrast to the account of Timocles, which we have mentioned; also the price of a chœnix of figs, and of a chœnix of myrtle-berries, two chalci; equal therefore to the price of olives. The low price at which Alexander of Phœræ promised to furnish the Athenians with meat, namely, at the rate of one half ob. for a mina (Plutarch, Apophth. Regg. et Impp. p. 134, Tüb. ed.) is not to be considered a current price at Athens.

<sup>1</sup> Plutarch as last cited. The expression of Aristophanes (Peace, 253), that Attic honey was worth four oboli, is to be understood as a proverbial saying, since by it something costly and dear was designated. See Schol. and Suid. on the words *τετρώβολον* and *τεττάρων ὀβολῶν*. Küster has misunderstood both passages.

<sup>2</sup> In Pollux, IX. 67. Pollux (70) correctly infers from the low price, that water for drinking is meant, not for bathing. The words of Philemon are: *χάλκου θερμὸν ἦν*, in the reckoning of a guest with his host. What precedes, has reference to the other things which had been furnished to the guest.



## CHAPTER XVIII.

## OF CLOTHES, SHOES, AND OINTMENTS.

THE clothing of the Athenians was very different in material, color, and form, according to the season of the year, and to the age, sex, rank, property, taste, and object of the wearer; and fashion, although not so all-powerful as in modern times, had even then great influence. Woollen clothes were the most common. Linen clothes were also worn, especially by females, and, with the exception of the finest kind, they were cheap.<sup>1</sup> The Amorgian cloths were costly. These were finer than the cloth made of byssus, or of carpasus, were nearly transparent, and were also colored. They are said to have derived their name from the island Amorgos, where they were best manufactured; although others derive it from their color (*ἀμόργη*), or better from the plant (*ἀμόργη*, *ἀμοργίς*, or also *ἀμοργός*). From this last, the island itself was probably named.<sup>2</sup> Even woollen clothes, when the material was superior, and the texture very good, as for instance the Persian Caunace,<sup>3</sup> were high-priced.

The prices with which I have met in my reading, are as follows: Socrates says, in Plutarch,<sup>4</sup> that an exomis, a garment with one sleeve, leaving the opposite arm bare, worn by the poorer class, and the price of which at Athens was ten drachmas (2 thr. 12 g. gr., or \$1.71) was cheap at that price. A chlamys, the garment commonly worn by knights, and young men of Macedonian and Thessalian origin,<sup>5</sup> is called by Pollux<sup>6</sup>

<sup>1</sup> See the spurious letter ascribed to Plato, XIII. p. 363, A.

<sup>2</sup> These cloths were called *ἀμοργίδια*, *ἀμοργίδες*, *χιτῶνες ἀμόργινοι*. See concerning them Aristoph. *Lysistr.* 150, and Schol. *Lysistr.* 736; Schol. *Æschin.* p. 737, ed. Reiske; Ep. Plat. above cited; Pausanias the Lexicographer in Eustath. on Dionys. *Perieg.* 525; Pollux, VII. 57, 74; Harpocr., Hesych., Suid., Etym. That the plant was also called *ἀμοργός* appears from Harpocr. and Pausanias.

<sup>3</sup> Aristoph. *Wasps*, 1132, 1140.

<sup>4</sup> As last cited.

<sup>5</sup> Pollux, VII. 46, X. 124, and Hemsterh. on the same; and further, X. 164; Ammonius on the word, *χλαμῆς*; and Strabo, as above cited; Von Dorville on Chariton, p. 433, Leipz. ed.

<sup>6</sup> VI. 165.

three stateric (*τριστατήριος*), certainly not on account of its weight, but on account of its having been worth three silver staters, or twelve drachmas (3 thr., or \$2.05.2). A citizen in the *Ecclesiazusæ* of Aristophanes,<sup>1</sup> who comes on the stage without his outer garment, because his wife had already gone to the assembly of the people, wearing it, declares that since the subject of discussion in the assembly of the people was the deliverance of the state from the dangers which threatened it, he himself needed a deliverance of four staters (*σωτηρίας τετραστατήριον*). One cannot doubt, with Pollux,<sup>2</sup> whether weight, or coin is here meant, but the price of the outer garment, sixteen drachmas (4 thr., or \$2.73.6) is evidently designated. When the young man in the *Plutus* of Aristophanes,<sup>3</sup> asks the old lady whom he was pretending to woo, for twenty drachmas to purchase an outer garment, he might have had in view one of superior quality. Socrates cites as an example of the dearth of articles of luxury in Athens, that purple cost three minas in that city.<sup>4</sup> It may be doubted whether a garment, or a certain measure of the coloring material, was designated by the term. In my opinion it must be assumed, that the former was intended. It is well known that the garments made of the byssus, which grows in Achaia, were sold for their weight in gold.<sup>5</sup>

In the article of shoes great luxury was indulged. Laconian, the fashionable dress shoes of the men, Sicyonian, Persian, Tyrian, Scythian, Argive, Rhodian, Amyclæan, Thessalian, Thracian, and other coverings for the feet, were all used together in the Greek states.<sup>6</sup> And, just as fashion among us gives famous names to unimportant things, so shoes of all sorts of forms were named after distinguished men, who had designed them, as Alcibiadean, Iphicratean, and others.<sup>7</sup> A pair of wo-

<sup>1</sup> Verse 413.

<sup>2</sup> IX. 58.

<sup>3</sup> Verses 982, 983.

<sup>4</sup> In Plutarch, as above cited. The price, in C. I. Gr. No. 1688, 27, of 150 Æginetan staters for an *ἀμπέχονον*, cannot, with certainty, be taken into consideration in relation to the price of clothing. See the note on the passage.

<sup>5</sup> Plin. N. H. XIX. 4.

<sup>6</sup> Aristophanes in several passages; and particularly Pollux, VII. 85-89.

<sup>7</sup> *Ἀλκιβιάδεια*, or *Ἀλκιβιάδες* (*ὑπόδημα*), *Ἰφικρατίδες*, *Δεινιάδες*, *Σμινδονίδεια*, *Μονάκια*. See Pollux, as above cited, together with the commentators; Athen. XII. p. 534. C. Schol. Lucian. Dial. Meretr. 14. The Iphicratean were not merely an invention of fashion, but a really improved form of the shoe for the use of the soldiers.

man's shoes, of Sicyonian manufacture, also cost, according to Lucian,<sup>1</sup> two drachmas (12 g. gr., or 34.2 cts.). The young man above mentioned, one of the characters in the *Plutus* of Aristophanes,<sup>2</sup> asked for eight drachmas (2 thr., or \$1.36.8) to purchase a pair of men's shoes. This was relatively a large sum for that purpose, and there would either a surplus have been left, or it was intended for a very costly, and highly ornamented shoe.

The ointments in use were among the dearest things in ancient times. A cotyle of fine ointment, probably imported from the East, cost at Athens, according to Hipparchus and Menander,<sup>3</sup> from five to ten minas; that is, one fourth of a Pr. quart (.56 of an English pint), 125–250 thr., (\$85.50 to \$171). An ointment made just so as to drop, which cost two minas (50 thr., or \$34.20) the cotyle, did not suit a certain character in a comedy of Antiphanes.<sup>4</sup> That the Athenians, although they were very fond of using ointments, and every thing that contributed to the embellishment of life, could not well pay these high prices, needs no proof. They used generally, therefore, inferior kinds, such, perhaps, as those of which it is said in Lucian,<sup>5</sup> that a little alabaster vial, brought from Phœnicia, cost two drachmas (12 g. gr., or 34.2 cts.).

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## CHAPTER XIX.

### OF ALL SORTS OF FURNITURE AND IMPLEMENTS, WEAPONS AND SHIPS.

Not unimportant, for determining several points, would be the knowledge of the prices of the various articles of furniture and implements in use among the ancients, of their weapons and

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<sup>1</sup> Dial. Meretr. 7, 14.

<sup>2</sup> Verse 984.

<sup>3</sup> In Athen. XV. p. 691, C.

<sup>4</sup> In Athen. the same, D.

<sup>5</sup> As above cited, 14.

ships. But the ancients have transmitted to us but few accounts relating to these matters, and the prices in those accounts which we possess are partly too high to be considered ordinary prices. It is probable, however, that notwithstanding the low wages paid to their workmen, and the employment of slaves in their manufactories, a great profit was received on account of the high rate of interest, which enhanced the price of certain articles of the kind under consideration.

Omitting eminent or distinguished works of art, whose inestimable value was determined only by the taste of the amateur purchaser, we present the following accounts. According to an epigram of Simonides of Ceos,<sup>1</sup> at a very early period, therefore, an evidently very well-executed statue of Diana cost two hundred Parian drachmas. Whatever may have been the Parian standard for coins, this was very cheap, although we do not know whether a large or small statue is meant. The material is also not mentioned. But, since the sculptor was certainly a Parian, it must have been marble. On the contrary we find, in a saying of the cynic Diogenes, the price given at which a statue (*ἀνδρῆς*) was sold, namely, three thousand drachmas.<sup>2</sup> The prices which were paid in Athens in the 93d Olymp. (B. C. 408) for sculpture, had better be mentioned here than under the head of wages; I mean the prices paid for the small 0<sup>m</sup>. 6, not quite 2' Pruss. (or 1.968 English feet),<sup>3</sup> high marble statues in

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<sup>1</sup> No. 215 of the collection of Schneidewin. In the Scholiast on Pindar, N. V. at the beginning, was given the sum of money which Pindar asked the relations of a boy of Ægina for a triumphal song for the latter. It was so large a sum, that they thought it would be better to have an iron statue (*ἀνδριῶς*) made, instead of the song. The sum mentioned is "*τρεις δραχμας*"; I have conjectured *τρισχίλιας*. The whole account is certainly an absurd fiction, invented at a later period. It is, therefore, a matter of indifference what sum stands in the passage. But a writer living at a later period than that to which reference was made, might easily have mentioned three thousand drachmas as the price of a statue.

<sup>2</sup> Diog. L. VI. 35.

<sup>3</sup> The statues are in the text said to have been 0<sup>m</sup>. 6, (that is, six decimetres of the French decimal system of measurement,) or not quite 2' Pruss. (that is, two Prussian feet) high. The French metre, according to the Encyclopædia Americana, is equivalent to 3.28 English feet, and the decimetre, therefore, to .328 Eng. ft., and six decimetres to 1.968 Eng. ft. The Berlin foot, according to the same authority, is equivalent to .992 Eng. ft.; two Berlin feet, therefore, to 1.984 Eng. ft. In this passage, then, the author probably means by Prussian feet what the Encyclopædia Americana calls Berlin feet, and not Rhineland feet; one of which, according to the same work, is equivalent to 1.023 Eng. ft.; and, according to the Conversations-Lexicon, eighth



the frieze of the temple of Minerva Polias, which in front were executed with the greatest skill, but were flat behind, because they were placed with their backs to the frieze. For a figure of this size, representing a young man, sixty drachmas were paid; for a horse, and the figure of a man with it, 120; for a wagon, with two horses and a youth, 240; for the leader of a horse, sixty; for a horse, and a man with it, together with a pillar for a goal, 127; for a man who holds the reins, sixty; for a man leaning upon a staff, sixty; for a woman, with a child falling into her arms, eighty drachmas.<sup>1</sup> The single figure, therefore, without any additional work, cost sixty drachmas (15 thlr., or \$10.26). For a wax model of an architectural decoration of the ceiling, (*χάλκη* or *κύλκη* in the cymation of the calymmata,) eight drachmas were paid; the same price for the wax model of another decoration (the *ἄκαρθα* for the calymmata). For the execution of the first-mentioned model, fourteen drachmas were

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edition, (when the misprint in the same is corrected,) in the article *Mass*, *Gewicht* und *Münzen*, in the new system of measurement introduced into Prussia in the year 1816, to 1.0303+ Eng. ft.; although the same work, in the article *Fuss*, gives the proportion between the English and Rhineland foot as thirty-five to thirty-four. According to the latter statement, the Rhineland foot is equivalent to about 1.0294 Eng. ft. I have in this work adopted for the Rhineland foot the statement of the *Encyclopædia Americana*. On p. 88, last line, and p. 89, first line, therefore, for the sake of accuracy, read the clause inclosed in the brackets, as follows: "(or, according to the *Encyclopædia Americana*, about 10,096; according to the *Conversations-Lexicon*, about 10,241; or, according to another statement in the same work, about 10,221 English square feet.)" I will observe here, that in the *Conversations-Lexicon*, eighth edition, in the first of the articles above mentioned, in giving the equivalent of one hundred English feet in Vienna feet, there is a misprint of ninety instead of ninety-six; as is evident from the statement in the same article of the equivalent of an English mile in Vienna feet. I had inserted in the text, at the place indicated, before the error had been detected, a calculation founded upon this erroneous basis; but in consequence of the great discrepancy in the statements of my copy of this work, I did not venture to retain it, and intended to have dropt the words also, "according to the *Conversations-Lexicon*;" but through inadvertence they were left in the copy, and overlooked in the proof. Having reëxamined the subject by comparison with other works, and with other editions of the same work, since the printing of the passage in question, the error in the edition of the *Conversations-Lexicon* used by me was detected, and I would substitute, therefore, at the place indicated, the above-mentioned reading, containing, according to this authority, more approximate numbers, for the reading in the text. — Tr.

<sup>1</sup> Account in Rangabe's *Antt. Hell.* No. 57, A. I have omitted the first item found in it, because it is mutilated. Concerning the measure, and the nature of the figures, see Rang. p. 71 seq.

paid for every piece.<sup>1</sup> A small wagon, a plaything for children, cost, according to Aristophanes, an obolus. The same price was paid for a very beautiful oil-vial (*λίχνυθιον*),<sup>2</sup> whether made of clay or of leather I know not; since vials made of each of those materials are mentioned. Of the prices of earthen vessels we have the following accounts: For six craters, four drachmas were paid, (four oboli apiece, therefore); for thirty-two pieces of vessels very indifferently painted, about 5" (4.96 English inches) high, 2 dr. 4½ ob., about half an obolus apiece;<sup>3</sup> for an earthen cask (*κάδος*), three drachmas<sup>4</sup> (18 g. gr., or 51.3 cts.). This latter, however, from the connection, is to be considered as a high or humorously exaggerated price. Earthen vessels were, therefore, evidently very cheap. A hydria, it is uncertain of what material it was made, which was given as a prize of victory, was estimated at thirty drachmas (7½ thlr., or \$5.13).<sup>5</sup> An iron side-board, (*ἐστῆς*) inlaid with the faces of satyrs and the heads of bulls, was estimated by Lysias<sup>6</sup> as hardly worth thirty drachmas. A small two-wheeled chariot for racing, probably highly ornamented with ivory, brass, silver, etc., as were bedsteads and other articles of furniture by the ancients,<sup>7</sup> cost, together with the wheels, three minas (75 thlr., or \$51.30).<sup>8</sup> The price of a scythe, or sickle, (*δοξπάρον*) in time of peace, is, of course, humorously exaggerated by Aristophanes,<sup>9</sup> when it is affirmed to have been fifty drachmas (12½ thlr., or \$8.55). A private key, together with a ring, cost, in the same period, three

<sup>1</sup> The same, No. 57, B, at the commencement, and at the end.

<sup>2</sup> Aristoph. *Clouds*, 861; *Frogs*, 1267.

<sup>3</sup> These prices have been ascertained from marks upon vessels by Letronne, *Supplement aux observations sur les noms des vases Grecs*, Extrait du *Journal des Savants*, Nov. Dec. 1837, Jan. 1838, p. 18 sqq. I have, however, omitted the price assumed by him for the *cylix*, C. I. Gr. No. 545. In this passage the drachma cannot with certainty be considered as denoting value. I have also omitted the price assumed by him for the *βαοία* or *βαορία*, which he mentions, since the passage from which he has derived it does not appear to me to be explained with sufficient certainty.

<sup>4</sup> Aristoph. *Peace*, 1201. In Apuleius *Metamorph.* IX., an old earthen cask which, like that of Diogenes, was sufficiently large to contain a man, is affirmed to have been sold first for five, and afterwards for seven denarii.

<sup>5</sup> See above, Chap. 14.

<sup>6</sup> *Fragm.* p. 15.

<sup>7</sup> Plutarch on *Avoiding Debts*, 2, 3.

<sup>8</sup> Aristoph. *Clouds*, 31.

<sup>9</sup> *Peace*, 1200.

oboli; a magic ring a drachma.<sup>1</sup> A small book, for the purpose of recording a contract (*γραμματοῖδιον*), that is a small, commonly wooden, diptychon, consisting of two wax tablets, was estimated by Demosthenes at two chalcæ (one fourth of an obolus).<sup>2</sup> Wooden tablets (*σπίδες*) on which accounts were written, cost, Olymp. 93, 2 (B. C. 407), a drachma apiece.<sup>3</sup> These must have been quite large, and well made. Two pieces of papyrus (*χάρται*) for copying an account, cost, at the same time, 2 dr. 4 ob.<sup>4</sup> (16 g. gr., or 45.6 cts.). Paper appears from this to have been very dear, although written books were cheap; since the books of Anaxagoras, even when dear, were to be had for a drachma;<sup>5</sup> or else the paper upon which public accounts were written was uncommonly good. Gold foil for gilding cost a drachma a leaf (*πένταλον*). The size of the leaf is not given.<sup>6</sup> The price of a piece

<sup>1</sup> Aristoph. Thesm. 432; Plut. 885.

<sup>2</sup> Dem. ag. Dionysod. p. 1283, 4. Comp. Salmas. de M. U. X. p. 403.

<sup>3</sup> Account in Rangabe's Antt. Hell. No. 57, A, 30, and B, 33. I cannot consider *σπίδας* to mean slabs of stone. To me there is an entire failure of proof passages for this meaning.

<sup>4</sup> The same, B. 31.

<sup>5</sup> Plato, Apol. p. 26, D, E. When, beside the value of the paper, we take into account the wages of the labor of transcribing, it is at the first view hardly conceivable how the works of Anaxagoras, although, to be sure, they cannot be supposed to have been voluminous, were to be had, when dear, for a drachma (comp. p. 68). We may be tempted to assume that, in the age of Socrates, there was but little demand for the works of Anaxagoras, and that ancient transcripts were sometimes offered for sale at a low price. In fact, the expression of Plato (*ἂ ἐξεστὶν ἐνίοτε εἰ πάνυ πολλοῦ δραχμῆς ἐκ τῆς ἀρχήστρας πριαμένους*) leads to this view. Moreover, the words of Plato are so indefinite, that the price which he cites may be supposed to refer to a single work, not to a number. But if we compare the prices of manuscript works among the Romans during the empire, (Adolph. Schmidt, Geschichte der Denk-und Glaubensfreiheit im ersten Jahrhundert der Kaiserherrschaft und des Christenthums, p. 136 seq.,) the price mentioned of the works of Anaxagoras will not at all astonish us. It will only be necessary for us to assume that in the age of Pericles, as well as during the time of the empire, the copyists possessed the skill of writing very rapidly. Anecdotes of poor literati who are said, for want of money to buy paper, to have written their works upon potsherds, or upon bones, (Diog. L. VII. 174, and Menage upon the same,) afford no means for forming a positive opinion upon the price of paper, especially since, as the potsherds containing writing which have been found in Egypt show, it was not unusual to write upon potsherds. When the intercourse with Egypt was interrupted, papyrus, it is true, as is evident, among other authorities, from the letter of Speusippus, although a spurious production, contained in Orelli's edition of the work entitled Socratis et Socratt. Pythagoræ, et Pythagg. Relig. p. 39, was scarce and dear in Greece.

<sup>6</sup> Rangabé, Antt. Hell. No. 57, B. 35, 42.

of rope, such as was used for hanging a person, is known to have been an obolus.<sup>1</sup>

Weapons and armor could not have been cheap. In time of war, when there was perhaps great demand for them, ten minas (250 thlr., or \$171) were given, according to Aristophanes, for a coat of mail made of small metallic chains (*ἀλυσιδωτός*); a mina (25 thlr., or \$17.10), as it seems, for a helmet; for a war-trumpet sixty drachmas (15 thlr., or \$10.26).<sup>2</sup> But Aristophanes probably gives the very highest, if not entirely fictitious prices. Not less uncommon are the established prices in an Amphictyonic inscription,<sup>3</sup> for a shield two hundred, for a crest of a helmet fifteen, Æginetan staters; for the former, therefore, according to the reduced standard of that money, six hundred, for the latter forty-five, Attic drachmas (150 thlr. and 11¼ thlr., or \$102.60 and \$7.69). These appear to me to have been ornaments of a colossal statue. In an inscription of Ceos,<sup>4</sup> which is at least older than the time of Alexander the Great, weapons are mentioned, on the other hand, as prizes of victory, certainly, therefore, of good quality, estimated at values which are not extravagant; namely, a bow at seven drachmas (1 thlr. 18 g. gr., or \$1.19.7); a bow and quiver at fifteen drachmas, the quiver, therefore, at eight drachmas (2 thlr., or \$1.36.8 cts.); the missive weapons for a catapulta (*χορτός*) at two dr. (12 g. gr., or 34.2 cts.); the same, together with a military covering for the head (*περικεφαλαία*) of those who discharged the missiles, at eight dr.; the covering for the head, therefore, at six dr. (1½ thlr., or \$1.02.6); three javelins (*λόγχοι*) at one dr. four ob., at three and a half ob. apiece, therefore; three others, and the covering for the head of those who used them, at eight dr.; the covering for the head, and the javelins, therefore, at nearly the same value as those just mentioned; a shield at more than twenty dr., (perhaps twenty-five or thirty, since a character at the end of this item is effaced).

For determining the cost of the shipping it would be particularly desirable to know the prices of the articles used in ship-building. But very little definite information upon this subject,

<sup>1</sup> Lucian Timon, 20.

<sup>2</sup> Aristoph. Peace, 1223, with Schol.; 1250, and 1240.

<sup>3</sup> C. I. Gr. No. 1688. Concerning the Æginetan money, see above.

<sup>4</sup> C. I. Gr. No. 2360.



can be derived from ancient authors, and even the original documents relating to the marine, which have been discovered, give but an imperfect account. Scantling for oars (*κωπηῖς*) were officially estimated at Athens in the time of Demosthenes at three drachmas, (eighteen g. gr., or 51.3 cts.) apiece. Andocides affirms that he could have sold such scantling at Samos for five drachmas apiece, at the time when the four hundred ruled at Athens. At this period there was a great demand for them at Samos for the Athenian fleet.<sup>1</sup> Oars for triremes, of poor quality, which had not stood proof, were in the time of Demosthenes estimated on an average at two drachmas (12 g. gr., or 34.2 cts.) apiece.<sup>2</sup> The two rudders of a trireme seem to have cost twenty-five dr. each (6 thlr. 6 g. gr., or \$4.27½).<sup>3</sup> The smaller pole for propelling the ship in shallow water, and for sounding the bottom of the sea (*κοιτὸς μικρὸς*) was estimated to be worth at least seven drachmas (1 thlr. 18 g. gr., or \$1.19.7); the large mast of a trireme thirty-seven drachmas (9 thlr. 6 g. gr., or \$6.32.7); the two main yards, probably, twenty-three dr. (5 thlr. 18 g. gr., or \$3.93.3).<sup>4</sup> The sails were either fine or coarse. A fine sail cost 150 dr. (37½ thlr., or \$25.65) more than a coarse one, according to the passage cited below.<sup>5</sup> This appeared to me at the time of publishing that passage, and still appears to me very improbable. The four hypozomata (large ropes used for undergirding) of a trireme cost probably about 475 drachmas<sup>6</sup> (118¾ thlr., or \$81.22½). The ascomata (leather pads for the row-ports) cost, according to their appraised value, forty-three dr., two ob.<sup>7</sup> (10 thlr. 20 g. gr., or \$7.41). If my estimation of the number of oars in a trireme at 170 be correct, the ascoma of each must have cost 1½ ob., or 4.275 cts., and the ascoma of each of the two rudders, 2½ ob., or 7.125 cts. Four beaks, which were of brass, but had become unserviceable, were sold for more than 520 drachmas.<sup>8</sup> Lucian,<sup>9</sup> makes the knavish god

<sup>1</sup> See the work upon the documents relating to the Athenian Marine ("über die Seerkunden") published by me in 1840, p. 114.

<sup>2</sup> Id. p. 113 seq.

<sup>3</sup> Id. p. 207.

<sup>4</sup> Id. p. 126, 129, 206.

<sup>5</sup> Id. p. 541, if, as Ussing affirms, the reading HHH is correct.

<sup>6</sup> Id. p. 206 seq.

<sup>7</sup> Id. p. 108 and 200.

<sup>8</sup> Id. p. 100.

<sup>9</sup> Dialogues of the Dead, 4.

Mercury, in a settlement with Charon, demand for an anchor for his boat five drachmas. This appeared high to the parsimonious ferryman, although Mercury averred, that it was its cost. He also makes him demand for the strap by which the oar was fastened to the oar-lock (*τροπωτήρ*) two oboli; for a needle to sew his sail-cloth together, five oboli; for wax to close the seams of his boat, nails, and a rope to fasten his sail-yard to the mast (*ὑπέρρα*), together two drachmas. But Lucian, on account of the period in which he lived, and as a jester, cannot be considered a sufficient voucher. The value of the whole tackling, spars, and all the wooden implements of a moderate-sized ship, like the trireme, can by no means be determined from the above-mentioned accounts. That it amounted, however, for a tetrere me to more than a talent can hardly, in accordance with other accounts, be denied, and for a trireme it could not have been much less.<sup>1</sup>

What an entire ship, with or without tackling, spars, and implements proportioned to its size, cost, is still more difficult to ascertain. In a contract of bottomry mentioned in Demosthenes<sup>2</sup> three thousand drachmas were lent upon a merchant vessel. This does not authorize one to assume, that the ship was not worth more than that sum, since in bottomry at Athens, a second hypothecation was not unfrequently made. The vessel, therefore, may have been worth much more than the sum mentioned. Another merchantman was sold for four thousand drachmas;<sup>3</sup> but we know neither its size nor its condition. With regard to the hull of the trireme, or ordinary ship of war, we have but little information. Since labor was cheap, and the ships built light, on which account they did not last long, easily foundered on the high sea, and were shattered in naval engagements, their relative value, compared with that of ships in our day, could certainly not have been great. No information on this subject can be derived from the accounts of the expenses of the trierarchy. For the trierarch was not bound to furnish the hull. From the account that Themistocles had caused one hundred, or two hundred triremes to be built from the

<sup>1</sup> See the computation in the work upon the Documents, etc. ("über die Seurkunden,") p. 207 seq. The passage of Demosthenes ag. Polycl. p. 1215, 21, is also insufficient to determine the value of the tackling, spars, and implements.

<sup>2</sup> Ag. Dionysodorus, p. 1283, 18.

<sup>3</sup> Demosth. ag. Apatur. p. 896, 5.

annual revenue obtained from the mines one might derive an inference in relation to that period, were it not that neither the amount of the annual revenue from the mines, nor the number of the years, is definitely given. The account of Polyænus, however, that from each talent a ship was built<sup>1</sup> is not improbable, but, it is to be particularly remarked, only with respect to the hull. At a later period, however, and, namely, in the time of Demosthenes, even the bare hull of a trireme, in the general rise of prices, must have cost much more. Would that we had, instead of the account of the feigned purchase of those triremes which the Corinthians yielded to the Athenians at the nominal price of five drachmas for each,<sup>2</sup> an account of the true value of the same! At present it must suffice us to know, that for the entire rebuilding, or new building of the hull of an old trireme, five thousand drachmas; and when it was designed for the transportation of horses, 5,500 drachmas; and for the ordinary repairing of the triremes, twelve hundred; of the tetreremes, fifteen hundred drachmas,—were, in the time of Demosthenes, the common and established prices.<sup>3</sup>

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## CHAPTER XX.

OF THE AMOUNT REQUISITE FOR THE SUPPORT OF AN INDIVIDUAL, AND OF THE RELATION OF THE SAME TO THE PROPERTY OF THE ATHENIAN PEOPLE.

FROM the preceding accounts a probable judgment may be formed with regard to the amount requisite for the support of an ordinary individual in the most flourishing periods of the Athenian State. The most temperate man needed daily, at least, an

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<sup>1</sup> See my "Abhandlung über die Laurischen Silberbergwerke." According to Diodorus (see Book II. Chap. 19 of the present work) perhaps twenty triremes were annually built.

<sup>2</sup> Herodot. VI. 89.

<sup>3</sup> See the work "über die Seeurkunden," p. 220, 226, 129 seq.

obolus for his opson, one fourth of an obolus for a chœnix of grain, according to the price of barley in the time of Socrates; together, annually, reckoning the year at 360 days, seventy-five drachmas; for clothes and shoes at least fifteen drachmas. A family, therefore, of four adult persons must have needed at least 360 drachmas (90 thr., or \$61.56 cts.) for these necessities of life. The sum requisite, however, in the time of Demosthenes, must have been  $22\frac{1}{2}$  drachmas higher for each person; for four persons, therefore, ninety drachmas ( $22\frac{1}{2}$  thr., or \$15.39 cts.) higher. To this must be added the cost of a habitation, the value of which, estimated at least at three minas, would involve, according to the common rate of interest, (twelve per ct.,) an annual expense of thirty-six drachmas (9 thr., or \$6.15.6 cts.). So that the poorest family of four adult free persons, if they did not wish to live upon bread and water, needed upon an average about 120 thalers (\$82.08 cts.) annually.

Socrates did not have, as was falsely reported, two wives at the same time, but one after the other; Myrto, who was poor when he married her, and who probably had no dowry, and Xanthippe. He also had three children. Of these, Lamprocles was already adult at the death of his father, but Sophroniscus and Menexenus were minors.<sup>1</sup> He prosecuted no manual art after he had sacrificed the employment of his youth to the never-resting effort to acquire wisdom. His teaching procured him no income. According to Xenophon<sup>2</sup> he lived upon his property, which, if it should have found a good purchaser (*ὠνητὴς*), the house included, might easily have brought, altogether, five minas; and he needed only a small addition from his friends. From this it has been inferred, that living was extraordinarily cheap at Athens. It is evident, however, that Socrates with his family could not live upon the interest of so small an amount of property. For, however poor the house may have been, its value cannot be estimated at less than three minas. So that, without taking the furniture into consideration, the rest of his property from which interest could be derived, could have

<sup>1</sup> Plato, *Apol.* 23, and Fischer on the passage.

<sup>2</sup> *Econ.* 2. According to Meursius, from whom others have copied, he lived upon the income from his property very respectably (*perhioneste*)! See *Fort. Att.* IV p. 30.



amounted to but two minas, and the income from it, according to the common rate of interest, to only twenty-four drachmas. With this he could not have procured even the amount of barley which was requisite for himself and his wife, to say nothing of the other necessaries of life, and of the support of his children.

Shall we understand, perhaps, the expression "purchaser (*ὠρητὴς*)," to mean one who took a lease of the property, and five minas to have been the annual rent? This relief from the difficulty would be the easiest. But the ancients used the term purchase (*ὠρεῖσθαι*), instead of hire, so far as my information extends, only in reference to the public revenues. The letting of these to the farmers of the revenue was an actual sale. For letting the use of real estate, or of the entire property (*ὅλως*) of a man to a tenant or contractor, the expression to lease (*μισθόειν*), was used. But the leasing of the whole property is found, so far as I know, only in relation to the property of orphans.

Moreover, the property of Critobulus is estimated at more than five hundred minas in the same sense that that of Socrates was estimated at five minas; and it is remarked that it was insufficient to cover his expenses, because he offered costly sacrifices, entertained many guests, fed and supported many citizens, kept horses, performed public services, and, beside being married, was addicted to the love of boys. These things he could undoubtedly have done with an income of  $8\frac{1}{3}$  talents, but not if that had been only the amount of his property. We must, therefore, believe that Xenophon intended to estimate the value of the entire property of Socrates at only five minas. But we are no more authorized to consider his account as correct, than we are to reject it. The history of the ancient sages is so entangled and garnished with traditions, and the circumstances of their lives are so differently represented even by contemporary writers, that we can seldom find firm ground on which to stand. Thus, according to the defence of Socrates composed by Plato, the former is represented to have affirmed that he could pay for his liberation only about a mina of silver; and Eubulides says the same. According to others, he estimated the amount which he should pay at twenty-five drachmas, and in the defence ascribed to Xenophon he is represented as neither having himself

estimated any amount, nor having allowed his friends to do so.<sup>1</sup> Thus the well-informed Demetrius of Phalerum affirmed, in opposition to Xenophon, that Socrates had, beside his house, seventy minas at interest in the possession of Crito. And Libanius informs us that he had lost eighty minas, which he had inherited from his father, by the insolvency of a friend, in whose hands he had placed it, and who certainly cannot have been, as Schneider supposed, the wealthy Crito.<sup>2</sup>

But assuming that Xenophon's account is perfectly correct, we must suppose that the mother of the young boys supported herself, and both the children, either by labor or from her dowry, and that Lamprocles supported himself, and that the famed economy of Socrates probably consisted, among other things, in this also, that he kept them at work. And then, again, suppose that he always lived upon his twenty-four drachmas, with a small additional sum from his friends, yet no one could live as he did. It is true, that he is said to have frequently offered sacrifices at home, and upon the public altars.<sup>3</sup> But they were doubtless only baked dough, shaped into the forms of animals, after the manner of the poor; properly bread, therefore, great part of which was at the same time eaten, and to which his family also contributed. He lived in the strictest sense upon bread and water, except when invited to entertainments at the tables of others, and could therefore be particularly glad, as he is said to have been, on account of the cheapness of barley, when four chœnices sold for an obolus.<sup>4</sup> He wore no under garment; even his outside garment was poor, and the same one was worn both summer and winter. He generally went barefooted, and his dress-sandals, which he occasionally wore, may have lasted him his lifetime. His walk for pleasure and exercise before his house served him instead of an opson for his meal. In short, no

<sup>1</sup> Plato, Apol. 28; Diog. L. II. 41; Xenoph. Apol. 23.

<sup>2</sup> Demetr. in Plutarch, Aristid. 1: in this passage, τῇν οἰκίαν, are to be restored, instead of the γῆν οἰκεῖαν of Reiske; Liban. Apol. Vol. III. p. 7; Schneider on Xenoph. at the passage cited.

<sup>3</sup> Xenoph. Mem. Soer. at the commencement.

<sup>4</sup> See Plutarch, and Stob., in the passages cited Chap. XV. of the present Book, p. 129.

slave was so poorly maintained, as was Socrates.<sup>1</sup> The drachma which he gave Prodicus was certainly the largest sum ever spent by him at one time. And it may boldly be affirmed, without wishing to disparage his exalted genius, that, in respect to his indigence, and a certain cynicism in his character, the representation of Aristophanes was not much exaggerated, but in the essential particulars was delineated from the life.

If in the time of Socrates four persons lived upon 120 thalers, (\$82.08) a year, they must have been satisfied with but a scanty allowance. He who wished to live respectably, needed even then, and still more in the time of Demosthenes, a sum considerably larger. According to the speech against Phænippus,<sup>2</sup> there were left to the complainant and his brother by their father, forty-five minas to each, on which, it is said, one could not easily live, namely, upon the interest of it, which amounted, according to the common rate of interest, to 540 drachmas (135 thlr., or \$92.34). Isæus, in his speech concerning the Estate of Hagnias,<sup>3</sup> relates that Stratocles and his brother had inherited from their father an estate, which was indeed too inconsiderable to enable them to perform the public services attached to the possession of a certain amount of property (*λειτουργία*), but which was sufficient to support them. The estate of Stratocles amounted at his death to 5½ talents, beside his wife's dowry of twenty minas, which cannot be considered a part of the heritage left by him, and he had acquired four talents and forty-four minas of the latter, partly by his own exertions, partly by inheritance from others. His patrimony, therefore, amounted to forty-six minas. This, according to the common rate of interest, would have yielded an annual income of five minas, and fifty-two drachmas; and at eighteen per cent., at which rate he lent his money, of eight minas and twenty-eight drachmas; and together with the

<sup>1</sup> Xenoph. as last cited, I. 5, 2; Plato, Banquet, p. 174, A; Athen. IV. p. 157, E. Many persons went barefoot, even the rich and illustrious Lycinus, for example. (See Lives of the Ten Orators.)

<sup>2</sup> P. 1045, 17.

<sup>3</sup> P. 292. In this passage is to be read: *εἶναι μὲν ἱκανά, λειτουργεῖν δὲ μὴ ἄξια*, as Reiske proposed, but with the addition of another, and an untenable conjecture. *Οἱ χ' ἱκανά* betrays itself as corrupt, both because *μὴ* instead of *οὐχ* would be the proper word, and because it would be absurd to remark, that the property was not, *it is true*, sufficient to afford a living, *but* too small for the performance of the public services.

interest of the dowry, reckoned at twelve per cent., of ten minas, and sixty-eight drachmas (267 thr., or \$182.628). Of course, he could live on this income.

Mantitheus in Demosthenes<sup>1</sup> asserts that he could have been maintained and educated upon the interest of his mother's dowry, which amounted to a talent; consequently, according to the usual rate of interest, upon 720 drachmas (180 thr., or \$123.12), annually. For the maintenance of the young Demosthenes himself, his sister still younger, and his mother, seven minas (175 thr., or \$119.70) were annually paid, without reckoning any thing for their habitation, since they dwelt in their own house. The cost of the education of Demosthenes was not included in this sum. For that the guardians remained in debt.<sup>2</sup> Lysias refers, in one of his speeches, to the knavish account of the guardian of the children of Diodotus. He had, for example, charged for clothing, shoes, and hair-cutting over a talent for a period of less than eight years, and for sacrifices and festivals more than four thousand drachmas, and he ultimately would pay a balance of only two minas of silver, and thirty Cyzicene staters, whereby his wards had become impoverished.<sup>3</sup> Lysias remarks,<sup>4</sup> that if he had charged more than any one in the city had ever done before for two boys, and their sister, a pedagogue, and a female servant, his account could not have amounted to more than a thousand drachmas (250 thr., or \$171) annually. This would be not much less than three drachmas daily, and must certainly appear to have been too much in the time of that orator for three children and two attendants.

In the time of Solon one must certainly have been able to travel quite a distance with an obolus, since that lawgiver forbid that a woman should take with her upon a march, or a journey, a larger quantity of meat and drink than could be purchased for that sum, and a basket of larger dimensions than an ell in length.<sup>5</sup> On the contrary, when the citizens of Træzene, according to Plutarch,<sup>6</sup> resolved to give to each of the old men,

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<sup>1</sup> Ag. Bœot. concerning the Dowry, p. 1009, 28; p. 1023, 6.

<sup>2</sup> Demosth. ag. Aphob. I. p. 824, 26 sqq.; p. 828, 5.

<sup>3</sup> Ag. Diogeit. p. 903. Comp. p. 897 and p. 905.

<sup>4</sup> The same, p. 910.

<sup>5</sup> Plutarch, Solon, 21.

<sup>6</sup> Themistocles, 10.



women, and children who fled from Athens upon the approach of Xerxes, two oboli daily, it appears to be a large sum for the purpose. In the most flourishing period of the state, however, even a single person could maintain himself but indifferently on two or three oboli a day.<sup>1</sup> Notwithstanding all this, the cheapness and facility of living still remained very great. In accordance with the noble reverence of the Greeks for the dead, the death of a man, his interment, and monument, often occasioned more expense than many years of his life, since private persons appropriated three, ten, fifty, and even 120 minas, to that purpose.<sup>2</sup>

I have, in a subsequent part of this work,<sup>3</sup> estimated the value of the property of the Athenian people, excluding the property of the state, and the mines, according to a probable computation, at thirty thousand to forty thousand talents. Of these if only twenty thousand talents be considered productive property, every one of the twenty thousand citizens would have had, if the property had been equally divided, the interest of a talent, or, according to the common rate of interest, 720 drachmas as an annual income. On this, with the addition of the profit from their labor, they might all have lived in a respectable manner. They would in that case have realized what the ancient sages and statesmen considered the highest prosperity of a state. But a considerable number of the citizens were poor. Others possessed a large amount of property, on which they could fare luxuriously on account of the cheapness of living, and the high rate of interest, and yet at the same time could increase their means, because property augmented exceedingly fast.

This inequality corrupted the state, and the manners of the people. Its most natural consequence was the submissiveness

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<sup>1</sup> Lucian (Epist. Saturn. 21) says, that a man needed four oboli in order to satisfy his appetite with wheat or barley bread, and some cresses, thyme, or onions accompanying it. A penurious father is represented by the same author to have given the same sum to his son eighteen years old, for the purpose of procuring his daily food (Dial. of the Dead, 7). But this cannot be directly applied to the ancient times, and to Athens.

<sup>2</sup> Lysias ag. Philo. p. 884; the spurious letter ascribed to Plato, XIII. p. 361, E; Demosth. ag. Beot. concerning the Dowry, p. 1023, 22; Lysias ag. Diogeit. p. 905; Demosth. ag. Stephan. I. p. 1124, 15.

<sup>3</sup> IV. 4.

of the poor towards the rich, although they believed that their rights were equal. The rich followed the practice, afterwards so notorious and decried at Rome, of suing for the favor of the people, sometimes in a nobler, sometimes in a baser manner. If this practice was conducted in so generous and beneficent a manner, as it was by Cimon, for example, the first of Athens' citizens, who, beside possessing eminent personal qualities, like Pisistratus, left his grounds and gardens without watchers, made his fruits and his house, as it were, public property, had ready every day a cheap meal for many of the poor, caused indigent persons who had died to be buried, and in his walks also caused small coins to be distributed among the needy, and his attendants to change their clothes with ragged citizens,<sup>1</sup> yet there arose even from this a miserable mendicity, and a base dependence of self-ruling citizens.

This might, however, have been endurable. But since not every statesman had an estate sufficient to enable him to afford such expenditures from his own property, and liberality toward the people was necessary in suing for their favor, the distribution of money on festival occasions, giving pay to the soldiers, to the ecclesiastæ, to the judges, to the senators, costly sacrifices, the cleruchiæ, were introduced by the leaders of the people. The inhabitants of the allied states were compelled to bring their legal processes before Athenian tribunals, in order that the citizens might receive more judicial fees, and that their means of subsistence might be increased,<sup>2</sup> and also for other reasons. Every species of oppression was inflicted upon the allied states, and various public crimes arose from these measures. The statesmen pretended that these crimes were necessarily perpetrated on account of the poverty of the people.<sup>3</sup> When in revenge for their wrongs the allied states abandoned their connection with Athens, the helplessness of the people was still greater. For the multitude had become slothful, conceited, and eager for enjoyment. There remained no other expedient, than to endeavor to recover their former supremacy. Moreover, the rich

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<sup>1</sup> Theopomp. in Athen. XII. 533, A ; Plutarch, Cimon, 10, in part from Aristotle ; and Periel. 9.

<sup>2</sup> Essay on the Athenian State in Xenophon's works.

<sup>3</sup> Xenoph. concerning the Revenues of the State, at the commencement.

were envied by the poor; the latter were glad to see the property of the former distributed among themselves, and when bribes failed to take effect, the whole fury of the populace fell upon them. Xenophon in his work upon the revenues of the state, well understood that efforts should be made to advance individual prosperity. But apart from the inadequateness of his proposals, Athens, even if it had been possible to regain external prosperity, was irrecoverably lost, because the moral condition of the citizens could not so easily be restored.

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## CHAPTER XXI.

## OF WAGES.

IN proportion to the cheapness of the necessities of life, the wages of labor must have been less in ancient times than at present. And the multitude of those who sought labor as the means of subsistence, must have diminished its price, since competition everywhere produces this result.<sup>1</sup> In this number, beside the thetes and aliens under the protection of the state, a great part of the slaves are to be included; so that the families of slaves belonging to the rich, lessened the profit of the poorer class of citizens. The Phocians, by whom the keeping of slaves is said to have been in the earlier periods of their state prohibited, not unjustly reproached Mnason, who possessed a thousand slaves and more, for depriving an equal number of poor citizens of the means of subsistence.<sup>2</sup> After the Peloponnesian war even citizens, who had been accustomed to a higher standing, were compelled to support themselves, whatever it might have cost them to submit to it, as day laborers, or in some other way, by the labor of their hands. For they had lost their landed property in foreign states, and on account of the want of money, and the

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<sup>1</sup> Compare Xenoph. concerning the Revenues of the State, 4.

<sup>2</sup> Athen. VI. p. 264, C. Comp. p. 272, B.

decrease of the population, rents had depreciated, and loans were not to be had.<sup>1</sup>

Nevertheless, I do not find that daily wages were excessively low. Lucian represents the daily wages of an agricultural laborer or gardener, on a remote estate lying near the frontiers of Attica, to have been, in the time of Timon, (unless he transfers the circumstances of a later period to an earlier one,) four oboli, (4 g. gr., or 11.4 cts.).<sup>2</sup> The wages of a porter are the same in Aristophanes, and of a common laborer, who carried dirt, they were three oboli.<sup>3</sup> When Ptolemy sent to the Rhodians one hundred house-builders, together with 350 laborers, in order to restore the buildings destroyed by an earthquake, he gave them fourteen talents annually for their opson, three oboli a day for each man.<sup>4</sup> We know not, however, by what standard the money was estimated. This was, if they were slaves, for other aliment beside grain; if they were free men, it was only a part of their wages, since a man needs something else besides his opson. In Olymp. 93 (B. C. 408), a sawyer (*πίστις*) who sawed for a public building, received a drachma a day.<sup>5</sup> They appear to me to have been stone-sawers. A carpenter, who worked on the same building, received five oboli a day.<sup>6</sup> We find that in the time of Pericles, as it seems, a drachma, as daily wages, was given to each of a number of persons working by the day.<sup>7</sup> It is not at all probable that they were artisans, but only common laborers. For putting on the roof of a building, erecting and taking away the scaffolds, a number of persons received each a drachma, probably, also as daily wages, or a price according to contract, not much exceeding the ordinary amount of the same.<sup>8</sup> The philosophers Menedemus and Asclepiades must have been excellent laborers in their youth, since they earned every night

<sup>1</sup> Xenoph. Mem. Socr. II. 7, 8.

<sup>2</sup> Lucian, Timon, 6, 12.

<sup>3</sup> Aristoph. in Pollux, VII. 133, and Eccles. 310.

<sup>4</sup> Polyb. V. 88.

<sup>5</sup> Rangabé, Ant. Hell. N. 56, A, 29 sqq. They made the calymmata. These could hardly have been made of wood, although Rangabé, p. 65, asserts that they were.

<sup>6</sup> The same, B, at the commencement, according to Rangabé's correct completion of the inscription.

<sup>7</sup> The same, No. 87.

<sup>8</sup> The same, No. 56, A.



two drachmas each, as millers in a grain mill.<sup>1</sup> Persons in higher stations, or those who labored with the pen, were, according to genuine democratic principles, not better paid. The architect of the temple of Minerva, Polias, received no more than a stone sawer, or common laborer engaged upon the building, namely, a drachma (6 g. gr., or 17.1 cts.) daily. The under secretary (*ὑπογραμματεὺς*) of the superintendents of the public buildings received daily five oboli (5 g. gr., or 14.25 cts.).<sup>2</sup> For particular services, in which a certain deference is manifested by the laborer to the person whom he serves, a high price was paid in Athens, as is the case in all large cities. When Bacchus in the *Frogs* of Aristophanes<sup>3</sup> wishes to have his bundle carried by a porter, the latter demands two drachmas. When the god offers the ghost nine oboli, he replies that before he will do so, he must become alive again. If this conversation in the realm of departed spirits is not a scene from real life, it has no point. A living porter at Athens was probably just as shameless in his demands, and if less were offered, he might have said: "I must die before I do it."

The fare for a voyage by sea, particularly for long voyages, was extraordinarily low. For sailing from Ægina to the Piræus, more than four geographical miles (or than sixteen English geographical miles) two oboli (2 g. gr., or 5.7 cts.) were paid in the time of Plato. For sailing from Egypt, or Pontus, to the Piræus a man, with his family and baggage, paid in the same period at the most two drachmas (12 g. gr., or 34.2 cts.). This is a proof that commerce was very lucrative, so that it was not found necessary to take a high fare from passengers. In the time of Lucian four oboli were given for being conveyed from Athens to Ægina.<sup>4</sup> The freight of timber seems to have been higher, according to Demosthenes,<sup>5</sup> who mentions that for transporting a ship load from Macedonia to Athens 1,750 drachmas were paid. The

<sup>1</sup> Phanodemus and Philochorus in Athen. IV. p. 168, A.

<sup>2</sup> Accounts for building of the date Olymp. 93 (B. C. 408), in Rangabé's work, No. 56, A, 55-59, and No. 57, B, 8-11. Comp. Rangabé, p. 67, and p. 78.

<sup>3</sup> Verse 172 sqq.

<sup>4</sup> Plat. Gorg. p. 511, D. In this passage it must not be supposed that only a present to the pilot is meant. Lucian, Navig. 15.

<sup>5</sup> Ag. Timoth. p. 1192. That only one ship load is meant, is evident from the mention of only a single shipmaster, the same page, line 24.

enormous vessel for conveying grain named *Isis*, which in the time of the emperors brought so much grain from Egypt to Italy, that, according to report, the cargo was sufficient to last the whole of Attica a year, earned in freight at least twelve talents annually.<sup>1</sup> The freight of a talent in weight from Ceos, which lay directly opposite Sunium, to Athens was an obolus.<sup>2</sup>

The fulling of an outside garment cost three oboli.<sup>3</sup> For engraving a decree of the people of moderate length, including the piece of marble, and commonly without strict reference to the size of the memorial, thirty drachmas ( $7\frac{1}{2}$  thlr., or \$5.13) were paid.<sup>4</sup> For very large inscriptions, however, fifty drachmas were paid; as, for example, for the inscription relating to the building of the walls in the time of Demosthenes, and for the engraving, in the archonship of Anaxicrates (Olymp. 118, 2, B. C. 307), of all the decrees of the people passed in the time of Lycurgus.<sup>5</sup> This can be explained only from the fact, that the letters in these inscriptions were commonly very small. The large inscription which Barthélemy published, and which I publish in the appendix,<sup>6</sup> is only 3' 8" 4''' Par.<sup>7</sup> high, 6" 6''' thick. The upper part, which contains a figure in relief, is 1' 1"; the lower part, upon which the writing is engraved, 2' 4" 6''' wide. The whole inscription consists of forty lines. The letters are  $3\frac{1}{2}$  lines high. The intervals between the lines are two lines wide. So that the

<sup>1</sup> Lucian, as above, 13.

<sup>2</sup> Beilage XVIII, Böckh. St. d. Ath. Vol. II., in which *τάλαντον* is the only possible completion.

<sup>3</sup> Aristoph. Wasps, 1123. Comp. 1122.

<sup>4</sup> C. I. Gr. No. 87, 100; Curtius, Inscr. Att. No. 4, p. 13 (Ephem. Archäol. No. 401); and frequently elsewhere. In Ephem. Archäol. No. 371, and No. 402, however, only twenty drachmas are found. But this is probably only a mistake of the engraver, or copyist, which on account of the succeeding  $\Delta$  of the word *δραχμας* might easily have been made. So in Eph. Archäol. No. 408, thirty drachmas are correctly found, but Pittacis, in transferring it, gives only twenty.

<sup>5</sup> Otrfr. Müller de Munnum. Ath. p. 35, line 33; Decree III. in the Appendix to the Lives of the Ten Orators. There was, indeed, an archon named Anaxicrates, also in Olymp. 125, 2 (B. C. 279). But all the circumstances unite in favor of the supposition, that the earlier one is here meant. — See Meier, Vit. Lycurgi. p. LXX.

<sup>6</sup> Beilage I, Böckh. St. d. Ath. Vol. II.

<sup>7</sup> The foot of Paris Measure contains 12 in. or 144 lines, and is equal to 1 1-15 ft English Measure, according to the Con. Lex. — (Tr.)

height of the inscription itself is 1' 6" 4". I have already made some observations on works of art when treating of the prices of manufactured articles. I add here that five oboli (5 g. gr., or 14.25 cts.) the foot, lengthwise, were paid in Olymp. 93 (B. C. 408) for the encaustic coloring of the Cymation of the interior architrave in the temple of Minerva Polias.<sup>1</sup> 110 drachmas were paid for the fluting of a column for that highly ornamented temple.<sup>2</sup> I will add further the price of a bath, although it is not barely a compensation for labor. According to Lucian<sup>3</sup> it was two oboli. A delicate little gentleman is represented by Philemon to have paid four persons each six chalci, as appears from a passage of Pollux, for plucking out the hair of his body with pitch, that he might have a feminine skin.<sup>4</sup> Moreover, the rich had their own, and the Athenian people public baths.<sup>5</sup>

The pay of the soldiers was different in different periods, and according to circumstances. It fluctuated between two oboli, and, including the money given for subsistence, two drachmas for an hoplites and his servant. The cavalry received from twice to fourfold the pay of the infantry; officers commonly twice, generals fourfold the same. For, as in respect to labor performed for daily wages, the higher station had not a relatively higher estimation in the same degree, as at the present day. The money given for subsistence was commonly equal in amount to the pay. For from two to three oboli a day the soldier could maintain himself quite well, especially since in many places living was much cheaper than in Athens. His pay was partly as surplus, partly for clothes and weapons, and if booty were added, he might become rich. This explains the saying of the comedian Theopompus,<sup>6</sup> that a man could support a wife on two oboli of pay daily; with four oboli a day his fortune was

<sup>1</sup> Account in Rangabé, Antt. Hell. No. 56, A, 45; No. 57, B, 12.

<sup>2</sup> The same, No. 57, B, p. 53, according to Rangabé's restoration of what is lacking. I omit the payments for other labors, which are found in the same account, because it would be difficult to form a judgment respecting the work done.

<sup>3</sup> Lexiphanes, 2.

<sup>4</sup> IX. 66, and Hemsterh. on the passage. This was done in the bath.

<sup>5</sup> Essay on the Ath. State, 2, 10. Comp. Barthél. Anach. Vol. II. ch. 20.

<sup>6</sup> In the Στρατιώτιδες, in Pollux, IX. 64.

Καίτοι τίς οὐκ ἂν εἰκός ἐν πρώτοις τετραβολίζων,  
Εἰ νῦν γε διώβολον φέρων ἀνὴρ τρέφει γυναῖκα.

made. The pay alone of the soldier is here meant, without the money given him for subsistence.

The pay of the judges, and of those who attended the assemblies of the people (*ἐκκλησιασταί*) amounted at last to three oboli a day, and like the theoricon served only as an additional supply for the subsistence of the citizens. The heliast in Aristophanes<sup>1</sup> shows clearly how difficult it was, with that sum, to procure bread, opson, and wood for three persons. He does not include clothing and habitation, because he sustained the expenses for them out of his own property. The pay of senators and of ambassadors was higher. Persons engaged in the liberal arts and sciences, and prostitutes, were paid the highest prices.

The ancient states maintained public, salaried physicians.<sup>2</sup> For example, Hippocrates is said to have been public physician at Athens. These, again, had servants, particularly slaves, who attended to their masters' business among the poorer class, and among the slaves.<sup>3</sup> The celebrated physician Democedes, of Croton, received, about the sixtieth Olympiad (B. C. 540), notwithstanding there was little money in circulation at that time, the high salary of a talent of silver (1,500 thr., or \$1,026, since Attic money seems to be meant). When called to Athens he received one hundred minas (2,500 thr., or \$1,710), until Polycrates of Samos gave him two talents.<sup>4</sup> In like manner, no doubt, practitioners in many other arts were paid by the state; as, for example, architects at Rhodes and Cyzicus, and certainly in every place of importance. For it cannot be supposed that all architects, particularly those invited from foreign countries, would have exercised their art, as several did at Athens, for daily wages.

The compensation of musicians, and of theatrical performers, was very high. Amœbeus, a singer of ancient Athens, received every time he sang in public, an Attic talent.<sup>5</sup> That the players on the flute demanded a high price for their services, is well

<sup>1</sup> Wasps, 299; Comp. 699.

<sup>2</sup> Xenoph. Mem. Socr. IV. 2, 5; Plat. Gorg. p. 455, B. Respecting their pay, see Strabo, IV. p. 181; Diod. XII. 13.

<sup>3</sup> Plato, Laws, IV. p. 720, A sqq.

<sup>4</sup> Herodot. III. 131.

<sup>5</sup> Aristæus in Athen. XV. p. 623, D.



known. In a Corcyraean inscription,<sup>1</sup> a late one indeed, but executed before the dominion of the Romans was established in that island, fifty Corinthian minas were designated as the compensation, beside their expensive maintenance, for the services of three players on the flute, three tragedians, and three comedians at the celebration of a festival. The compensation of distinguished theatrical performers was not less, although, beside the period of their engagement at Athens, they earned large sums in travelling, and performing at the various cities and places on their route.<sup>2</sup> For example, Polus or Aristodemus is said to have earned a talent in two days, or even in one day, or for performing in a single drama.<sup>3</sup> All these artists received, in addition, prizes of victory. Also common itinerant theatrical performers, jugglers, conjurers, fortune-tellers, enjoyed a competency; although the sum paid by the individual spectator was small, a few chalcæ, or oboli, but sometimes even a drachma.<sup>4</sup> The custom of paying fees for apprenticeship to the trades and arts, and also to the medical profession, was established even in the time of Socrates.<sup>5</sup> For a part of the instruction in music, and for athletic exercises, it was the duty of the tribes in Athens to provide. Each tribe had its own teachers, whose lessons the youth of the whole tribe attended.<sup>6</sup> In the other schools each individual paid for his instruction;<sup>7</sup> we know not how much. The legislation of Charondas, in which the salaries of the teachers are said to have been permanently established, would have made an exception, if the laws from which Diodorus<sup>8</sup> derived his information, had not been fictitious.

<sup>1</sup> C. I. Gr. No. 1485.

<sup>2</sup> Comp. Demosth. de Fals. Leg. and the second argument of the same speech.

<sup>3</sup> Lives of the Ten Orators, p. 268 of the Tübing. ed. Gellius, XI. 9, 10. Concerning the pay of the common theatrical performers among the Romans, see Lipsius, Exc. N. on the Annal. of Tacit. I. That Demosthenes gave the player Neoptolemus ten thousand drachmas for teaching him to prolong his utterance without respiration, as is related in the Lives of the Ten Orators, p. 260, is difficult to believe.

<sup>4</sup> Casaub. on Theophr. Char. 6. Lucian has much to say about the fortune-tellers. The most remarkable example of enrichment by this art is found in Isocr. *Æginet*.

<sup>5</sup> Plat. *Menon*. p. 90, B sqq.

<sup>6</sup> Demosth. against *Bæot*. concerning his Name, p. 1001, 19.

<sup>7</sup> Demosth. against *Aphob*. I. p. 828.

<sup>8</sup> Diodorus, XII. 13. Although the spuriousness of these pretended laws has been proved, yet all that is found in them cannot be rejected as fictitious; but this law savors strongly of the Alexandrian age.

The teachers of wisdom and eloquence, or sophists, were not paid by the state until later times. But in earlier periods, they required large sums from their scholars. In this they imitated the mercenary lyric poets, whose inspiration frequently slumbered until incited by gold.<sup>1</sup> Protagoras of Abdera is said to have been the first who taught for money. He required from each scholar, for a complete course of instruction, an hundred minas (2,500 thlr., or \$1,710).<sup>2</sup> Gorgias asked the same price,<sup>3</sup> and yet his property at his death amounted to only one thousand staters.<sup>4</sup> Zenon of Elea,<sup>5</sup> in other respects unlike the sophists, required the same amount. Since the price for teaching wisdom was so high, it was natural that there should be chaffering about it, and that an agreement upon reasonable terms should be sought. Hippias earned, while yet a young man, in connection with Protagoras, in a short time, 150 minas. Even from a small city he earned more than twenty minas, not by long courses of lessons, as it seems, but by a shorter method of proceeding.<sup>6</sup> But gradually the increased number of the teachers reduced the price. Evenus of Paros, as early as the time of Socrates, required, to the general derision, only ten minas (250 thlr., or \$171);<sup>7</sup> and for the same sum Isocrates taught the whole art of oratory.<sup>8</sup> And this appears to have been in the age

<sup>1</sup> Of the honorary of the learned, many have treated. Wolf, *Verm. Schr.* p. 42 sqq., has collected, without much parade of citations, the most important particulars concerning it. Otf. Müller, to omit several others, has more particularly treated the subjects appertaining to this point, in his work entitled: *Quam curam respublica apud Græcos et Romanos literis doctrinisque colendis et promovendis impenderit, quæritur* (Göttingen, 1837, 4), especially in the notes, p. 25 sqq.

<sup>2</sup> Quintil. *Inst. Or.* III. 1; Gell. V. 10; Diog. IX. 52; and upon the latter passage, see Menage.

<sup>3</sup> Suidas, and Diodor. XII. 53.

<sup>4</sup> Isocr. concerning the Antid. p. 84, Orell. ed.

<sup>5</sup> Plato, *Alcibiades*, I. p. 119, A. The Scholiast on Aristoph. *Clouds*, expresses the opinion that the teachers would scarcely have required less than a talent. If that opinion were to be regarded as reliable, which can hardly be the case, it must be referred only to the time of Socrates.

<sup>6</sup> Plat. *Hipp.* the elder, p. 282, E. Further information respecting Hippias is given by Suidas, Philostr. *Life of Soph.* I. 1, 11; Appulei. *Florid.* p. 346, Elm.

<sup>7</sup> Plato, *Defence of Soer.* p. 20, B.

<sup>8</sup> Demosth. *ag. Laer.* p. 938, 17; Plutarch, *Life of Demosth.* and the author of the *Lives of the Ten Orators in the Life of Isocrates.*

of Lycurgus, the usual honorary of a teacher of eloquence.<sup>1</sup> At length the Socratic philosophers found it convenient to teach for a compensation. Aristippus was the first who did so.<sup>2</sup> Moreover, payment was also sometimes required from each auditor for single discourses, as, for example, by Prodicus, one, two, four, to fifty drachmas.<sup>3</sup> Antiphon was the first who wrote speeches and orations for money. He required high prices for them.<sup>4</sup>

We are almost ashamed to speak of the prices of prostitution and impurity, both in respect to men and women, which, according to Suidas and Zonaras,<sup>5</sup> were established even by the state itself; three chalci, one, two oboli, a drachma;<sup>6</sup> a stater for young women of the middle class.<sup>7</sup> But a *Lais* required for one night ten thousand drachmas.<sup>8</sup> A boy is mentioned by Lysias,<sup>9</sup> who formally let himself for three hundred drachmas; and Timarchus sold his chastity for twenty minas.<sup>10</sup>

<sup>1</sup> Lives of the Ten Orators in the Life of Lycurgus.

<sup>2</sup> Diog. II. 65, and Menage on the passage; compare 72, 74. He is said to have required from five hundred to one thousand drachmas, although others refer the anecdotes relating to that subject to Isocrates.

<sup>3</sup> Plat. Cratyl. at the commencement; Aristot. Rhet. III. 14; Philostr. as above cited, 12; Schol. Aristoph. Clouds, 360; Suidas on the word *Πρόδικον*; Eudoc. Ion. p. 365.

<sup>4</sup> Van Spaan (Ruhnken) on Antiph. p. 809, Vol. VII. of Reisk. Orat.

<sup>5</sup> On the word *δίαγραμμα*.

<sup>6</sup> Hesych. on the word *τριαντοπόρνη*; Athen. VI. p. 241, E; Aristoph. Thesm. 1207. The diobolares are well known.

<sup>7</sup> The comic author Theopompus, in Pollux, IX. 15.

<sup>8</sup> Sotion, in Gell. I. 8, 8.

<sup>9</sup> Ag. Simon. p. 147, 148.

<sup>10</sup> The spurious Æschines, Ep. 7.

## CHAPTER XXII.

ON INTEREST, MONEY-CHANGERS, AND INTEREST OF MONEY LOANED  
ON MORTGAGE, OR ON A PLEDGE.

THE rate of interest in Greece was determined according to the number of oboli, or drachmas, which were paid monthly, on a mina borrowed, or according to the part of the principal, which was given as interest annually, or for the whole time of the loan. According to the first method, an annual interest of eight per cent. was called interest at four oboli (τόκος τετράβολος); of ten per cent., at five oboli (ἐπὶ πέντε ὀβολοῖς); of twelve per cent., at a drachma (ἐπὶ δραχμῇ); of sixteen per cent., at eight oboli (ἐπὶ ὀκτῶ ὀβολοῖς); of eighteen per cent., at nine oboli (ἐπὶ ἐννέα ὀβολοῖς); of twenty-four or thirty-six per cent., at two or three drachmas (ἐπὶ δυσὶ, τρισὶ δραγμαῖς). According to the other usage, interest of a third, fifth, sixth, eighth, tenth part of the principal annually, or for a definite period, is  $33\frac{1}{3}$ , 20,  $16\frac{2}{3}$ ,  $12\frac{1}{2}$ , 10 per cent. respectively (τόκοι ἐπίτριτοι, ἐπίπεμπτοι, ἑφεκτοι, ἐπόγδοοι, ἐπιδέκατοι).<sup>1</sup>

The passages in ancient authors relating to this subject, leave no room for doubt that the expressions quoted have this meaning; and that the first mode of speaking designated the number of oboli and drachmas named, which were to be paid as interest, monthly; but the other, the part of the principal to be paid as interest, yearly, or, in bottomry, at the time appointed in the contract. Only some of the older authors, destitute of critical ability, have made the absurd assertion, that the tenth, eighth, sixth, fifth, third part of the sum lent, was monthly, or, in con-

<sup>1</sup> The words ἐπίτριτος, ἐπίπεμπτος, etc., have, in the mathematical and musical works of the ancients, the signification one and one third, one and one fourth, etc., as the beginner may learn from my "Abhandlung über die Bildung der Weltseele in Timaios des Platon," (Treatise on the Formation of the Soul of the World in Plato's Timaeus,) Studien, 1817, St. I. p. 50. That in computing interest, they signify one third, etc., Salmasius de M. U. I. has already remarked. Comp. Schneider on Xenophon concerning the Public Revenues, p. 183. This usage is also entirely natural, for the interest is the third, etc., to be added to the principal, as unity.



tracts of bottomry, even daily interest. These Salmasius has already amply confuted; and it is astonishing, that even Barthélemy,<sup>1</sup> repeating from Petit, considers sixteen per cent. as monthly interest. The main source of this error lies in the opinion, that all interest was paid monthly. It certainly often happened that interest was thus paid.<sup>2</sup> But not only is the monthly payment of interest inconceivable in contracts of bottomry, since the borrower in that case can, and is obliged to pay only upon his return from the voyage; but, even where money was lent upon real property, the annual payment of interest was not uncommon.<sup>3</sup> And, indeed, even if everywhere and always interest was paid monthly in ancient times, it would not follow from the expressions "interest of a third, fifth, sixth, eighth part," that such a part of the principal was to be paid monthly, any more than at the present day, when interest is paid quarterly, or semiannually, it follows from the expression "a sum of money has been lent at five per cent.," that every quarter or half year five per cent. is paid. Moreover, apart from contracts of bottomry, which were not for the term of a year precisely, the interest of a tenth part (*τόζοι ἐπιδέκατοι*) was the same as the rate of interest at five oboli; the interest of an eighth part ( $12\frac{1}{2}$  per cent.), not much different from the rate of interest at a drachma (12 per cent.); the interest of a sixth part ( $16\frac{2}{3}$  per cent.), did not much differ from the rate of interest at eight oboli (16 per cent.); the interest of a fifth part (20 per cent.), not much from the rate at nine oboli (18 per cent.); the interest of a third part ( $33\frac{1}{3}$  per cent.), not much from the rate at three drachmas (36 per cent.). But, as the examples about to be adduced show, they are not to be considered exactly the same, but each phrase must be understood precisely as it reads. For the lenders could not have made use of indefinite expressions. The centesima, which in a strict sense is the rate of interest at a drachma, was

<sup>1</sup> Anach. Vol. IV.

<sup>2</sup> Aristoph. Clouds, at the commencement, and 751 sqq.

<sup>3</sup> Demosth. ag. Polycl. p. 1225, 15; Coreyean inscription, C. I. Gr. No. 1845, § 2. Even when the rate of interest was determined by the month, yearly payment may have been allowed, as the inscription cited shows. Also in the record from Orchomenus, C. I. Gr. No. 1569, a. III., the rate of interest is determined by the month; but the demand of payment, which is the subject of the passage, needed not, on that account, necessarily to have been made monthly.

first considered the same as the interest of the eighth part (τόκος ἐπὶ ὀγδοῦς), or twelve and a half per cent., in the age of Justinian. This Salmasius correctly remarks, although he himself, when treating of more ancient times, does not always accurately distinguish between the above-named rates of interest which differ so little.

Already from this preliminary explanation of the usage of language in reference to this matter, it is evident that the rate of interest in Greece was not so low as in our day, and as it was in Rome in the age of Cicero. The lowest rate of interest at Athens appears, apart from certain almost merely nominal payments of interest by the state to sacred treasuries, to have been ten per cent., the highest thirty-six per cent. The examples of interest in contracts of bottomry do not go beyond the latter rate, although in these the rate is higher, because the period of the voyage, for which, as a general rule, the money in such contracts was lent, was shorter than a year. For the assertion of Casaubon,<sup>1</sup> that a monthly interest of four drachmas was also taken, I find no proof, although usurers without reserve took as much as they could obtain. The interest of half the amount lent (ἡμιόλιος τόκος) is first found, a long time after Christ, in reference to fruits of the earth lent, to be returned in kind.<sup>2</sup>

The only cause of the high rate of interest can be, that money was more difficult to borrow than at present, or what is the same thing, that there were more persons desirous of borrowing, and less money was lent. But that, in general, it was not caused by a less quantity of ready money being in circulation, appears to be evident from the facts, that in proportion as there was less money in circulation, there was less need of borrowing, since the prices of commodities were thereby kept lower, and that the rent of real estate was also higher than it is at present, namely, eight per cent. on its value, while the amount paid for the use of the whole property of an individual, both real and personal, was still higher, namely, twelve per cent.<sup>3</sup> So that the high rate of interest does not seem to have been peculiar in

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<sup>1</sup> On Theophr. Char. 6.

<sup>2</sup> Salmas. de M. U. VIII.

<sup>3</sup> See Chap. 24th of the present Book.

respect to money, but to have had a common cause with the high rate of rent.

The objection that the value of real property itself in relation to its produce stood lower compared with the high rate of interest, is not without its weight, but does not appear to be decisive. For it is more natural to live upon the produce of the soil, than upon the interest of money. The chief causes, therefore, seem to have been, that those who possessed money were reluctant to loan it at a lower rate, because, if they invested it themselves in trade or commerce, they could obtain a larger income from it;<sup>1</sup> while he who managed his own landed property acquired, on account of the greater cheapness of slave labor, a larger amount of net proceeds from the cultivation of his land, than can be obtained in the same way, under different circumstances, at the present day. Another cause was, the want of confidence, which, in the failure of moral principle, and the imperfection of the political constitution and of the civil law of the state, and particularly on account of the difficulty of prosecuting one's right in a foreign state, was very limited. Even the laws of Solon, by which private rights in Athens were more accurately determined, as beneficent and just as they were in the main, nevertheless diminished the security of creditors, by abolishing the right of taking a pledge upon the body of the debtor. They showed, in general, by introducing the *seisachtheia*, how little regard the state had for property, whether by that measure barely the standard of the coin was debased, or at the same time the rate of interest diminished, or, in certain cases at least, a complete abolition of debts effected.<sup>2</sup> Nor could the severity of the laws relating to debt produce much confidence with respect to the loaning of money, since the execution of them was intrusted to courts ill-constituted; and all sorts of evasions and fraudulent artifices could be practised by the knavish debtor.

Finally, the money-changer's occupation<sup>3</sup> might have contrib-

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<sup>1</sup> Comp. Chap. 9th of the same.

<sup>2</sup> Plutarch, Solon, 15.

<sup>3</sup> Concerning this may be consulted, in particular, Salmasius de fenore trapezitico, and de Usuris, and also the acute Heraldus in his *Animadv. in Salmas. Obs.* II. 24, 25.

uted to enhance the rate of interest. They received money at a moderate rate<sup>1</sup> from persons who did not wish to concern themselves personally with the management of their own property, in order to loan it to others at a profit. This traffic with the money of others constituted the principal part of the business of the money-changer,<sup>2</sup> although they sometimes employed their own money also in the same way. The exchange of coins for a premium<sup>3</sup> was by no means their exclusive occupation. Commonly of humble descent, freedmen, aliens, or naturalized citizens, they considered it of more importance to increase their capital, than by connections with good houses to raise their credit.<sup>4</sup> But they obtained great confidence, which, with regard to the more important houses, extended through the whole of Greece, and they were thereby very much aided in their business.<sup>5</sup> Indeed, they maintained so high a credit, that they not only were implicitly trusted in reference to their own occupation, and business was transacted with them without witnesses,<sup>6</sup> but, as is often done by courts at the present day under similar circumstances, money, and written evidences of debt, were deposited with them, and contracts concluded and annulled, before them.<sup>7</sup> The large amount of property possessed by Pasion, whose exchange bank produced a net profit of a hundred minas annually, shows that their business must have been extensive.<sup>8</sup> But there are also examples of their failing, and losing every thing.<sup>9</sup> They loaned money also upon pledges at thirty-six per cent.<sup>10</sup> Examples of so high a rate of interest among reputable persons, unless in bottomry, could hardly be found. The common usurers, indeed, (*τοκογλύφοι*, *toculliones*, *ὀβολοαστάται*, *ἡμεροδυνασταί*,) who took advantage of the necessities of the poor, or of the prodigality of

<sup>1</sup> Thus, for example, a part of the capital of the father of Demosthenes was in the hands of money-changers. Dem. ag. Aphob. I. p. 816, near the end.

<sup>2</sup> Dem. for Phorm. p. 948, at the commencement.

<sup>3</sup> Isocr. Trapezit. 21; Dem. de Fals. Leg. p. 376, 2; ag. Polycl. p. 1216, 18; Pollux, III. 84; VII. 170.

<sup>4</sup> Dem. for Phormio, p. 953.

<sup>5</sup> Comp. Dem. for Phorm. p. 958, at the commencement; ag. Polycl. p. 1224, 3.

<sup>6</sup> Isocr. Trapezit. 2.

<sup>7</sup> Dem. ag. Callip. p. 1243, 8; ag. Dionysodor. p. 1287, 20.

<sup>8</sup> Demosth. for Phorm. p. 947, 25.

<sup>9</sup> Id. p. 959; ag. Stephan. I. p. 1120, 20 sqq.; Ulpian on Demosth. ag. Timocrates

<sup>10</sup> Demosth. ag. Nicostr. p. 1249, 10.



young persons, required an obolus daily for the loan of a mina,<sup>1</sup> and according to Theophrastus,<sup>2</sup> who always describes from the life, even an obolus and a half a day upon the loan of a drachma. The practice which prevailed in the time of Plutarch, namely, of retaining the interest out of the sum lent at the time of advancing the money, and loaning it again upon interest,<sup>3</sup> they had probably devised even in the most flourishing periods of the Athenian State. On account of this high rate of interest, and because they collected the same with extreme hardness, took from their debtors houses and goods, and manifested neither clemency, nor a regard for any thing else but their own gain, the money-changers and money-lenders brought upon themselves a partly undeserved, partly really merited hatred, as the most profligate of men.<sup>4</sup>

From friendship, or favor, money was, of course, sometimes lent, as it is in all ages, without interest, without exacting a written obligation to pay, without a mortgage or pledge, with or without witnesses (*χειρόδοτος, ασύγγρατος*).<sup>5</sup> But generally loans were made upon a formal and grave contract, a record of which (*συγγράγι*) was written by a third person in a diptychon of wax tablets, subscribed by witnesses, and deposited for safe-keeping

<sup>1</sup> In a very badly preserved scholium upon Æschines against Timarch. ("Monats bericht der k. Akad. d. Wiss." of the year 1836, p. 13, and "Abhh. der Akad." of the same year, p. 230), is said upon the occasion of the thirty being mentioned: *καὶ ἐκ τῶν πλουσίων ἂν ἡμεῖς θύσαν ὁ βολοσάται, ὁ ἐστὶ δανευσταὶ ἐπὶ ὁ βολῶ τὴν μνᾶν δανείζοντες*. So far as I can perceive, this is not to be understood of the time of the thirty, but is intended for an example, that there were other thirty beside those so called. The *ὁ βολοσάται*, are acknowledged to have been usurers. It is impossible that these could have required an obolus on a mina *monthly*, but it must have been daily. At this rate many, when pecuniary embarrassment pressed, might even have been glad to obtain money. That the state named for that purpose particular persons as licensed pawnbrokers, is indeed surprising, and can at most have been only a temporary measure in evil times. But if any will not allow that *ὁ βολοσάται* in this case means usurers, it nevertheless remains inconceivable, that monthly interest is intended in the passage.

<sup>2</sup> Char. 6, and Casaubon on the passage. Compare Heraldus Anim. in Salmas. Obs. ad I. A. et R. II. 21.

<sup>3</sup> Plutarch, on Avoiding the Contracting of Debts, 4.

<sup>4</sup> Demosth. ag. Stephan. I. p. 1122, near the bottom; and p. 1123, near the top; ag. Pantæn. p. 981, 982; Antiphanes, the comic author, in the *Μισοπότηνος*, in Athen. VI. p. 226, E. Comp. Herald. as above cited, II. 24, 1, 2.

<sup>5</sup> Demosth. ag. Timoth. p. 1185, 12; Salmasius de M. U. X. p. 381.

with a money-changer.<sup>1</sup> The property hypothecated was either put into the possession of the creditor, or was not. The latter was the case with respect to a hypothecation in the narrower sense of the term, the former with respect to a pledge (*ἐνέχυσον*).<sup>2</sup> The subject of a hypothecation in the narrower sense (or mortgage) was commonly real, but sometimes personal property; as slaves, for example, and in bottomry the cargo, the ship, and perhaps the freight, were sometimes hypothecated. The subject of a pledge was generally personal property; but instances are found in which real property, houses, and lands, were given in pledge, and indeed commonly as security for dowry, and for the property of orphans, when leased.

To lend money upon the pledge of the body of a free man (*δανείζειν ἐπὶ σώματι*), was prohibited at Athens from the time of Solon.<sup>3</sup> In the opinion of Diodorus, the example of the Egyptian law was followed in this prohibition. In other states this rude and barbarous practice continued, notwithstanding it was prohibited to take the instruments of tillage in pledge.<sup>4</sup> Weapons could neither be given nor taken in pledge at Athens.<sup>5</sup> There were also public records of debts in Greece, like our records of mortgages and hypothecations. There is no proof, however, that they were kept at Athens. But real property, against which there was any claim for debt, or which was pledged, was designated by stone tablets, or posts (*ὄροι*), upon which were inscribed the amount of the debt, and the name of the creditor.<sup>6</sup> This was a very ancient custom, and existed

<sup>1</sup> Salmas, Id.

<sup>2</sup> Id. XI.

<sup>3</sup> Diog. L. and Plutarch in the life of Solon; Id. in the treatise on Avoiding the Contracting of Debts, 4.

<sup>4</sup> Salmasius, ut sup. XVII. p. 749.

<sup>5</sup> Petit. Leg. Att. VII. 1, 6.

<sup>6</sup> Demosth. in many passages which Reiske has collected in the index; Isæus concern. the Estate of Philoctem. p. 141; Pollux, III. 85, IX. 9; Etym. on the words *ἀστακτον* and *ὄρος*, and Harpoer. on the same words; Hesych. on the words *ὄρος*, and *ὠρισμένη*; Lex. Seg. p. 285; Photius on *ὄρος* in several articles. Comp. Salmas. as above cited, XV. They were *στήλαι*, stone tablets, or pillars. Not a few of them have been found in modern times. C. I. Gr. No. 530: 'Επὶ Θεοφύραστον ἄρχοντος ὄρος χωρίον τιμὴς ἐνοσιζομένης Φαναστράτῳ Παιαν. XX. No. 531: 'Ὅρος χωρίον καὶ αἰκίας ἀποτιμῆται παιδὶ ὀρφανῷ Διαγείτονος Πρωζα. The fragments, C. I. Gr. No. 532, 533, are also ὄροι for ἀποτιμῆματα. With these is to be compared the list of ἀποτιμῆ-

before the time of Solon. For he himself testifies, that through the political constitution established by him the stones, which before stood on every man's land, were removed, because he had, in some way or other released the debtors from their pecuniary obligations, or alleviated them.

If the principal was not liable, according to the contract, to be lost upon the destruction of the property hypothecated, the interest on it was called land-interest (*τόκοι ἔγγυοι*, or *ἔγγυοι*),<sup>1</sup> in distinction from interest in bottomry, which was called maritime interest (*τόκος ναυτικός*). The rate neither of the former, of which I next treat, nor of the latter, was established by law. If Solon, as Androtion asserted in his laws, reduced the rate of interest upon existing debts, yet he allowed every person to invest his money subsequently at as high a rate as he might choose.<sup>2</sup> Only in the single case, when the husband who was separated from

*ματα* for dowry found in Tenos, C. I. Gr. No. 2338 b. Vol. II. p. 1056, and the inscriptions No. 2347, i. Vol. II. p. 1059 from Syros, *Ἥγησός τῆς Κλεομβρότου θυγατρὸς προῖξ τὸ χωρίον ν*, and No. 2264, n. Vol. II. p. 1037 from Amorgos, *Ὅρος ταῖς οἰκίαις τῶν ἀποτετιμημένων Νικησαρέτῃ εἰς τὴν προῖκα* (which, as is besides therein remarked, in case of the death of Nicesarete passed to the Goddess Venus). Ross Demeu. No. 50: *Ὅρος οἰκίας καὶ χωρίον Τιμοστράτης*, etc. (evidently also an *ἀποτίμημα* for dowry). The pledging might also be made in the manner of a sale with the reservation of the right of redemption. And to this other *ῥοι* refer; as for example: *Ὅρος χωρίον πεπραμένον ἐπὶ λύσει διασώταις Ἰσ[οδαίτου] δημίτου Η* (Meier in the Archäol. Int. Bl. der A. L. Z. 1834, No. 2, p. 16, together with my remarks in the same, 1835, No. 4, p. 30, and according to the very probable restoration of C. Keil Analect. Epigr. p. 142); *Ὅρος χωρίον πεπραμένον ἐπὶ λύσει Εὐθύνόκη*, etc. (Archäol. Int. Bl. 1835, No. 4, p. 30); *Ὅρος χωρίον πεπραμένον ἐρανισταῖς τοῖς μετὰ Καλλιτέλους. ΗΗΗΗΔΔ* (Finlay Transact. of the R. Soc. of Lit. III. 2, p. 395). In this also *ἐπὶ λύσει* seems to have been intended. It cannot be shown that wooden tablets were used for *ῥοι*, although Etym. and Lex. Seg. p. 192, 5, p. 285, 12, perhaps from misunderstanding the passage in the speech of Demosth. ag. Aristog. I. p. 791, 11, use the word *σανίδες* for *ῥοι*. The erecting of such stones, however, was by no means necessary for acquiring possession of the property mortgaged or pledged, in case of failure of payment; see Herald. Anim. in Salmas. Obss. ad I. A. et R. IV. 3, 8.

<sup>1</sup> Salmas. as above cited, III. Sometimes the former word, sometimes the latter is found in the manuscripts. Salmasius decides for the former. It is undoubtedly the older, and more correct form, and has also etymologically the same signification as *ἔγγυος*. Comp. the work "über die Seeurkunden," p. 162.

<sup>2</sup> *Τὸ ἀργύριον στάσιμον εἶναι ἐφ' ὅπόσῳ ἂν βούληται ὁ δανείζων*; law in Lysias ag. Theomnest. p. 360. *Στήσαι* was at that time the same as *δανείσαι*, from the custom of weighing the money at the time of lending it. Hence also *οβολοστάτης*. Orus in Etym. under the word *ὀβελίσκος*.

his wife did not immediately upon the separation return her dowry, was the rate of nine oboli (18 per ct.) established by law. The reason, probably, was because at that time it was the customary rate.<sup>1</sup> Even in the times of Lysias and Isæus the exacting of this high rate of interest was still not disreputable. The latter mentions<sup>2</sup> as an ordinary occurrence, that a certain individual had loaned forty minas at nine oboli, and that he received from them an annual income of 750 drachmas; and also that money was borrowed by Timarchus at the same rate.<sup>3</sup>

The rate of eight oboli (16 per ct.) is mentioned in Demosthenes.<sup>4</sup> That of a drachma (12 per ct.), which at the present time is the ordinary rate in the Levant, was frequent in the age of Demosthenes. But, according to the express words of the orator, it was low, although at that rate a talent produced a yearly income of 720 drachmas; a sum sufficient for the maintenance of a small family.<sup>5</sup> The rate of five oboli, or of the tenth part, is also mentioned in Demosthenes;<sup>6</sup> and, in contradistinction from the rate of a third part, in a story of Aristotle respecting Mærocles, who lived in the time of Demosthenes.<sup>7</sup> We find in Olymp. 86 (B. C. 436), that money belonging to the temple of Delos, which of course would be invested only on the best security, was loaned by the Athenian superintendents of that temple at this rate of the tenth part.<sup>8</sup>

<sup>1</sup> Speech ag. Neæra. p. 1362, 9; Dem. ag. Aphob. I. 818, 27. Comp. Salmas. de M. U. IV. p. 159.

<sup>2</sup> Concerning the Estate of Hagn. p. 293.

<sup>3</sup> Æsch. ag. Timarch. p. 127.

<sup>4</sup> Ag. Nicostratus, p. 1250, 18.

<sup>5</sup> Demosth. ag. Aphob. I. p. 816, 11; p. 820, 20; p. 824, 22; II. p. 839, 24; Æsch. ag. Ctesiph. p. 497. A further example of this rate of interest may be found in C. I. Gr. No. 93, of the date of Olymp. 108, 4 (B. C. 345). Comp. Niebuhr. Rom. Gesch. Vol. II. p. 436. In an Attic inscription C. I. Gr. No. 354, this interest is called *ἐκατοστιαίους τόκοι*, translated from *usuræ centesimæ*. This is an indication of the date of the memorial. So *ἐκατοστιαίος τόκος* in the Dictionary of Zonaras, p. 650, and in the Basilica. IX. 3, 87.

<sup>6</sup> Demosth. ag. Onetor. I. p. 866, 4.

<sup>7</sup> Aristot. Rhet. III. 10. Comp. Salmas. M. U. II. p. 41. Also in the *Œcon.* falsely ascribed to Aristotle, 2, 3, of the edition of Schneider *ἐπιδέκατοι τόκοι* are mentioned, upon the occasion of an embargo laid upon ships by the Byzantines. But this is to be considered as something extraordinary.

<sup>8</sup> Inscription in my "Abh. über Delos," (Schriften der Akad. in the year 1834,) Cap. 9.



From twelve to eighteen per cent. seem to have been the most common rates in Athens. The opinion of Salmasius,<sup>1</sup> that precisely the rate of the sixth part ( $16\frac{2}{3}$  per cent.) was the most usual rate, is without foundation. Several examples are found of higher interest. Demus, the son of the celebrated Pyrilampes, who had been ambassador in Persia, offered to pledge to Aristophanes a golden bowl, which he had received from the king of Persia, for sixteen minas, and to redeem it after a short time for twenty.<sup>2</sup> When Æschines, the Socratic philosopher, wished to engage in the manufacture of ointments, he borrowed money from a money-changer at three drachmas (36 per cent.); but he fell in arrear on account of the high rate of the interest, until at length he obtained the same sum from another money-changer at nine oboli.<sup>3</sup>

I will add examples of the rate of interest in other states of ancient Greece. The Clazomenians paid an annual interest of four talents upon a debt of twenty, to the leaders of their mercenary troops. This was at the rate of the fifth part (*τόκος επίπεμπτος*).<sup>4</sup> The land-interest in the Bosphorus was, at times, at the rate of the sixth part (*τόκος ἑφεκτος*). Phormio is said in Demosthenes<sup>5</sup> to have asserted, that he had paid, according to this rate, 560 drachmas for a loan of 120 staters of Cyzicus, each estimated at twenty-eight Attic drachmas; that is  $16\frac{2}{3}$  per cent. An instance is mentioned of a rate of interest, in Orchomenus in Bœotia, of several, probably two, drachmas a month. In a decree of the government of Coreyra it was determined, that certain moneys should not be loaned at a higher or lower rate than two drachmas a month (24 per cent.).<sup>6</sup> In this instance interest in bottomry can by no means have been meant. We find, however, more moderate rates of interest also in countries not Attic; in

<sup>1</sup> Ut. sup. I. p. 10.

<sup>2</sup> Lysias, for the property of Aristophanes, p. 629 sqq.

<sup>3</sup> Lysias, Fragm. p. 4.

<sup>4</sup> See the Economics, falsely ascribed to Aristotle.

<sup>5</sup> Ag. Phormio, p. 914, 10. Respecting *ἑφεκτος τόκος*, compare also Harpocr. Suidas, Phot., and Zonaras, on the same. What is contained in Photius on the phrase, *ἑφεκτὸς τόκος*, and in Lex. Seg. p. 257, on the same, is entirely absurd, and is founded on a false etymology, and upon the incorrect manner of writing the word, *ἑφεκτός*, instead of *ἑφεκτός*.

<sup>6</sup> C. I. Gr. No. 1569, a. III., and No. 1845, § 2, together with the notes.

borrowed eight hundred drachmas on a contract of bottomry, with the stipulation that he would return principal and interest, when the ship should safely arrive at Athens. The ship, however, belonged to the state, and he was expecting a successor in the trierarchy. It is probable, therefore, that only the equipments of the ship were hypothecated, all of which, according to his own assertion, belonged to Apollodorus.

This loaning of money on maritime interest, so odious in Rome, does not appear to have been offensive in Greece, and particularly in Athens, as a commercial city; but was hazardous, because with the loss of the property hypothecated, both principal and interest were lost. Contracts of bottomry, in which the creditor did not undertake the risk, were forbidden by the laws of Rhodes: that is, it was not allowed to take so high interest, as was customary in bottomry, without undertaking the risk of loss. But since by Attic law every one was permitted to take as much interest as he pleased, there was no such restriction at

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tracts relating to the outward and homeward voyage, when the hypothecated goods were sold in a foreign, or other port, it was required that new goods of equal value should be purchased, and loaded for the return voyage.<sup>1</sup> The severity of the laws against defrauding the creditor of property hypothecated has been already remarked. But the contracts generally stipulated the forfeiture of a penalty, if the debtor should not pay, within the designated period after the return of the vessel, both principal and interest, or deliver property to the value of the whole amount hypothecated, or if he should in any other way violate the conditions of the contract. For example, it was stipulated, that in case of violation of the contract, instead of the simple principal, twice the amount; or instead of two thousand drachmas principal, and six hundred drachmas interest, the sum of five thousand drachmas — should be paid.<sup>2</sup> Until the time of payment it was requisite that the property hypothecated, when it was safely brought to port, should remain untouched for the creditor. And for greater security, sometimes also the entire property of the debtor was bound by special agreement.<sup>3</sup> The money of orphans could not be loaned on bottomry, although this law was often violated.<sup>4</sup>

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cargo of goods to the value of 11,500 drachmas. He was indebted to all three of the creditors together 7,500 drachmas; as the orator himself says, and the computation gives. But he was to take in a cargo to the value of 11,500 drachmas. Since to the person represented as speaker, instead of two thousand, a value of four thousand drachmas was hypothecated; the debtor was under obligation to take in a cargo to the value of at least 9,500 drachmas. When now, instead of this, we find the number 11,500, it by no means follows, that the number four thousand is to be changed into six thousand, or that the passage is to be altered in any other way; but only that for the 4,500 and one thousand drachmas, which the debtor had borrowed from the other two creditors, goods not merely to the value of  $4,500 + 1,000 = 5,500$  dr. but, according to the *contracts*, to which reference is expressly made, also to the value of two thousand dr. more, should be taken. A hypothecation may indeed often have been made of threefold the value of the loan, or of but little more than the bare value of the same. This follows from the very passage under consideration, in whatever way one may choose to divide between the other two creditors, the two thousand dr. above the amount of the principal loaned, which were hypothecated to them. And we find also mention of a loan upon a ship, which was worth only forty minas, of exactly that amount (Demosth. ag. Apatur. p. 894 sqq.).

<sup>1</sup> Demosth. ag. Phorm. p. 909, 26.

<sup>2</sup> Demosth. ag. Dionysod. p. 1294, 12; ag. Phorm. p. 915, 1, p. 916, 27. Comp. p. 914, 6.

<sup>3</sup> Contract in the speech ag. Laerit.

<sup>4</sup> Lys. Fragm. p. 37. The case in Lys. ag. Diogeit. p. 908, may also be here cited.

Since the risk was different, according to the length of the term of the loan, the distance of the voyage, the dangers of the seas through storms, rocks, hostile fleets, pirates, or licensed privateering, a prevalent rate of maritime interest in Greece is less to be expected than with respect to land interest. The assertion of Salmasius,<sup>1</sup> that the rate of the fifth part was in an especial manner the ordinary rate at Athens, is entirely unfounded. For barely the outward voyage the interest must, on account of the shorter term, and less risk, have been lower than for both outward and homeward voyage; and also since, at the same time, passengers on board the ship who wished to take money with them, must have been glad to lend their money upon the outward voyage, that they might in the mean time derive interest from it. Diphilus,<sup>2</sup> in one of his comedies, introduces a cook speaking of a shipmaster, and relating the manner in which the latter employed him: "Not one," says he, "who sacrifices in observance of a vow, after he has lost mast or rudder, or has been obliged to throw overboard a part of his cargo: but one who has had great success; who has made the voyage from Byzantium in three days without loss; who is pleased because he has gained ten and twelve per cent.; who talks about his freight and passage money, and boasts of his interest-producing capital." His interest-producing capital was the very thing which had obtained that profit for him. Since it had brought him ten or twelve per cent. in three days, he boasted of it, and of the passage money received from the same voyage. He had evidently, according to the representation of the poet, lent money on the goods transported in his vessel to the owners of the former upon maritime interest for the voyage from Byzantium to Athens.

<sup>1</sup> De M. U. I. p. 10; V. p. 209. In the latter passage he refers in vain to Xenoph.

<sup>2</sup> In his comedy called the Painter, cited in Athen. p. 292, B,

Ἄλλ' ἕτερος εἰσπέπλευκεν ἐκ Βυζαντίου  
Τριταῖος, ὑπαθήης, εὐπορηκώς, περιχαρής  
Εἰς δέκ' ἐπὶ τῇ μνῇ γεγονέναι καὶ δώδεκα  
Ἀλῶν τὰ ναῦλα καὶ δάνει' ἐρυγάνων.

Respecting ἐρυγάνων in the signification boasting, comp. Suidas on the word ἡρίγανεν. Τριταῖος does not mean "he arrived *three days ago*," but "he was *three days* on the voyage." This was very swift sailing, but not incredible according to the examples, mostly of less swiftness, however, which I have given in my commentary upon Sophocl. Antig. p. 186 seq.

He had thus undertaken the insurance of the goods transported by his vessel, and had gained in the transaction ten and twelve per cent.; and had consequently done a very good business. We have here, therefore, maritime interest of ten and twelve per cent. for barely the outward voyage. Another example of equally high interest for the mere outward voyage, is found in Demosthenes;<sup>1</sup> namely, the rate of the eighth part ( $12\frac{1}{2}$  per cent.). This

<sup>1</sup> Demosth. ag. Polycl. p. 1211, near the end: Εἰσαγγεληθέντων δὲ ὅτι Βυζάντιοι καὶ Χαλκηδόνιοι πάλιν κατὰγοι οὐσι τὰ πλοῖα καὶ ἀναγκάζουσι τὸν σῖτον ἐξαεῖσθαι, δανεισάμενος ἐγὼ ἀργύριον παρὰ Χαιρεδήμου (or Ἀρχεδ.) μὲν τοῦ Ἀναφύστιου πεντεκαίδεκα μῶς ἐπὶ τόκον, ὀκτακοσίας δὲ δραχμὰς παρὰ Νικίππου τοῦ ναυκλήρου ναυτικὸν ἀνεῖλόμην, ὅς ἐτυχεν ὦν ἐν Σηστῷ, ἐπὶόδοον, σωθέντος δὲ τοῦ πλοίου Ἀθήναζε ἀποδοῦναι αὐτὸ καὶ τοὺς τόκους· καὶ πέμψας Εὐκτῆμονα . . . ἐκέλευσά μοι αὐτὸν ναύτας μισθώσασθαι. . . . Respecting the infinitive ἀποδοῦναι, and some other matters relating to this passage, I have made some remarks a little above. Ἀνεῖλόμην is used anacoluthically instead of ἀνεχόμενος. This often happens in constructions with μὲν and δέ. A clear example, among many, is given by Herodotus, VI. 13: ὁρέοντες ἡμὰ μὲν εὐόσαν ἀτασίην πολλήν ἐκ τῶν Ἰωίων ἰδέομεν τοῖς λόγοις, ἡμὰ δὲ κατεφαίνετό σοι εἶναι ἀδύνατα τὰ βασιλέως πρήγματα ὑπερβαλέσθαι, ἐν τε ἐπιστάμενοι . . . just as in the present instance δανεισάμενος ἀργύριον παρὰ Χαιρεδήμου μὲν . . . ὀκτακοσίας δέ . . . ἀνεῖλόμην . . . καὶ πέμψας; and as in the former καταφαίνετο, so could in the latter ἀνεῖλόμην be entirely omitted. VI. 19, ἐχρήσθη ἐπικούρουν χρηστήριον, τὸ μὲν ἐς αὐτοὺς τοὺς Ἀργεῖους φέρον, τὴν δὲ παρενθήκην ἐχρησε ἐς Μιλησίους. So VI. 25, near the end. Similar also is in Herod. VIII. 69: πρὸς μὲν Εὐβοίῃ σφέας ἐνδελοκίκεειν, ὥς οὐ παρεόντος αὐτοῦ, τότε δὲ αὐτὸς παρεσκεύαστο θεήσασθαι ναυμαχέοντας, the transition from the indirect infinitive to the indicative. Moreover, there are some other difficulties in the passage under consideration. Salmasius, in particular, de M. U. V. p. 219, and Reiske have endeavored to remove them. The remarks of the latter, since he had absolutely no correct idea of the ancient system of interest, are mere nonsense. Ἐπὶ τόκον seemed too indefinite. Hier Wolf would have it changed, not amiss, into ἐπὶ τόκῳ. Salmasius corrects it by changing it into ἐγγύῳ τόκῳ. Reiske would have it ἐγγείου τόκον, or ἐγγείῳ τόκων. But if the phrase refers at all to the rate of interest, some particular rate would be expected, rather than the general species. Ὅς ἐτυχεν ὦν ἐν Σηστῷ cannot have reference to ναυτικὸν; since this, as in the passage of Xenophon soon to be cited, and in Demosth. ag. Aphob. I. p. 816, 26, ναυτικὰ ἐξιδουόμενα μῶς, and elsewhere, is of the neuter gender. But the corrections of Salmasius, ὁ and ὄν, of themselves improbable, are the less admissible, because a customary rate of maritime interest in Sestos, without distinction of risk, is inconceivable at any period. Reiske has arbitrarily placed the words ὡς ἐτυχεν ὦν ἐν Σηστῷ, ἐπὶόδοον after ἐπὶ τόκον. But the safest opinion is, to consider ἐπὶόδοον as designating the rate of the maritime interest. It is also thus understood in Lex. Seg. p. 252, although with a false reference to a hypothecation of goods. For that the gloss refers to the passage under consideration, is learned from comparing Harpoer. on the word ἐπὶόδοον. My opinion is briefly as follows: Ἐπὶ τόκον is added, in order to give prominence to the idea that Charemedemus had not lent money to Apollodorus, as a friend and countryman, without interest, but which was an important point with the person represented as the speaker, on interest. How high this interest was, it was not absolutely necessary to say, and is perhaps omitted, because it



was given by the trierarch Apollodorus to the shipmaster Nicippus, on the voyage from Sestus to Athens, with the stipulation, that the trireme should first go to Hierum, for the purpose of convoying the fleet of vessels engaged in the transportation of grain, and that principal and interest should be paid upon the safe arrival of the vessel at Athens. The amount of this rate of the eighth part is well computed by Harpocration, at three oboli upon the tetradrachmon.

We often find a higher rate of maritime interest. Xenophon, in his treatise upon the public revenue,<sup>1</sup> proposed to erect public buildings for the convenience of merchants, in order to procure from the same an income for the citizens. He assumed, that the necessary advance might be collected by contributions of different amounts, while every contributor should receive the same income of three oboli daily. Then, he remarks, he who contributed ten minas would thus receive nearly at the rate of maritime interest of the fifth part (*πενταχὸν σχεδὸν ἐπίπεμπτον*); he who contributed five minas, would receive a higher rate of interest than that of the third part: the most of the contributors who invested a less amount would receive an annual income of more than the principal advanced; for example, for a mina almost two. The rates of the fifth and third part, are here evidently considered as ordinary rates of maritime interest. Xenophon alludes to the risk connected with the latter, in the praise bestowed upon this method of obtaining the income which he expects would be derived from carrying his proposition into effect: namely, that it would be raised from capital retained within the state itself; the safest, and most enduring mode of investment. At the same time it is manifest that the rate of the fifth part is here exactly twenty per cent., and that of the third part,  $33\frac{1}{3}$  per cent. This latter rate Harpo-

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would not be agreeable to Chæredemus to have it mentioned. The words *ὃς ἐτυχεν ὦν ἐν Σηστῷ* can only, in the last resort, be referred to Nicippus. They should, very probably, be inserted after *Χαιρεδήμου μὲν τοῦ Ἀναφλυστίου*. For since it might seem strange to find an Anaphlystian named, as being at Sestos, it was natural to add, that he happened accidentally to be there.

<sup>1</sup> 3, 7-14. I have, in Chap. IV. 21, elucidated the whole context, in which this proposal is contained, and exposed the errors of those who have endeavored to explain it. I will only remark here, that Salmasius has himself declared in his work, de M. U. V. p. 192, the false correction proposed in the same work, I. p. 25, to be superfluous.

cration<sup>1</sup> designates with entire correctness as eight oboli on the tetradrachmon. It is also evident that the former rate cannot be confounded with that of nine oboli, nor the latter with that of three drachmas (eighteen and thirty-six per cent.). For, estimating the year with Xenophon, in round numbers, at 360 days, three oboli a day give an annual income of 180 drachmas. This sum is eighteen per cent. on ten, and thirty-six per cent. on five minas. The author calls, therefore, the former nearly the rate of the fifth part; the latter more than that of the third part.

Other rates of interest are mentioned in Demosthenes. Phormio lent twenty minas for the voyage to and from Pontus, at six minas interest; at thirty per cent., therefore.<sup>2</sup> In the very carelessly written record in the oration against Lacritus, it is recited, that three thousand drachmas were lent upon a quantity of Mendæan wine, on the voyage from Athens to Mende, or Scione, and thence to the Bosphorus, and, if the debtor wished, along the left shore of the Black Sea to the Borysthènes, for the outward and homeward voyage, at the rate of 225 drachmas on a thousand. It was supposed, however, as a matter of course, that the debtors, who were Phaselites by birth, would commence their return voyage from Pontus before the cosmical or early rising of Arcturus, in the month Boëdromion; that is, before the 20th of September, when the autumn (*φθινόπωρον*), and the period of dangerous navigation began. Instead of the rate of 22½ per cent., the higher rate of thirty per cent., or three hundred on a thousand, was exacted, when the return voyage from Pontus to Hierum at the mouth of the Bosphorus, was begun after the commencement of the cosmical rising of Arcturus. This sometimes happened.<sup>3</sup>

<sup>1</sup> On the word *ἐπιπίταις*, in reference to a passage of Isæus against Calliphon, the subject of which speech was undoubtedly a contract of bottomry. Following the method of computation which Harpocration chose by way of example, the ignorant collector of glosses, *Lex. Seg.* p. 253, very awkwardly confounds the rate of the third part with that of eight oboli.

<sup>2</sup> Demosth. ag. Phorm. p. 914, 6.

<sup>3</sup> See Demosth. ag. Polyel. p. 1212, 14-24. Hierum lay in Bythynia, close to the Thracian Bosphorus. See Harpoer. and Suidas on the phrase *ἐφ' Ἱερὸν*, and what is collected in C. I. Gr. Vol. II. p. 975. It was an emporium, where the shipmasters stopped on their return from Pontus. What Petit has written respecting this contract is beneath criticism. Salmasius de M. U. V. p. 209 sqq. gives a detailed and prolix explanation of the contract. But in his exposition of the third stipulation, he

Since the contract allowed different places to be visited, and it was left to the option of the debtors, whether they would enter into the Pontus Euxinus or not; there was added, in conclusion, a still more particular stipulation in case they should not sail into the Pontus. In that case they were bound, in order to avoid the storms of the dogdays, to lie in the Hellespont ten days, commencing with the cosmical or early rising of the dog-star (*ἐπὶ ζυρί*), with which the late summer (*ὁπώρα*) began, that is, the end of July; to unload at a safe port; and then to return to Athens. There they were to pay the interest stipulated the previous year. The addition, "the previous year," is superfluous, but correct. The record of the contract was composed in the spring, when navigation commenced. But the year ended and began about midsummer, about the time of the summer solstice; and consequently the cosmical, or early rising of the dog-star, was in the following year. By the last-mentioned interest, the lower rate is intended. For the higher rate was exacted only when the departure from the Pontus occurred after the commencement of the cosmical rising of Arcturus, and, therefore, has no relation to the subject, if the ship did not enter the Pontus. But again, there was a new risk in this case, which could not occur in the voyage to the Pontus. The debtors might return from the Hellespont during the period when the storms of the dog-days prevailed, which was not to be expected on account of the distance, if the voyage should have been extended to the Pontus. Therefore, it was stipulated, that, in the case under consideration, the ship should lie in the Hellespont.

With regard to the safeness of the place where the ship was to be unloaded, it was stipulated that it should not be done at any place where the Athenians had the right of reprisals (*ὅπον ἂν μὴ σῶλαι ὦσιν Ἀθηναίους*). But it would rather be expected that places would be excepted where this right was allowed against the Athenians. For the creditors, of whom one was an Athen-

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has deviated entirely from the truth, and thereby confused the whole subject. Heraldus Anim. in Salm. Obs. ad. I. A. et R. has partly exposed these errors, partly increased them by errors of his own. The words *ἐὰν δὲ μὴ εἰσβάλωσι*, after which a comma is to be placed, cannot refer to the voyage from the Hellespont to the Ægean Sea, as Salmasius thought it did, but, according to the tenor of the record, only to the entrance into the Pontus Euxinus.

ian, could have feared nothing from Athenians: and since the debtors did business at Athens, they had no reason for apprehension in respect to Athenians. This difficulty, however, is easily removed. For apart from the fact that the trierarchs at this very period were in the habit of taking reprisals even from those, from whom they were not authorized by the state to take them, and consequently the property of Athenians and Phaselites might, upon slight pretext, be confiscated by them, so soon as it was found going to, or from, a place, against which the Athenians were allowed to exercise this right, it is certainly natural, that in the contract the unloading should be forbidden at a place, against which the Athenians exercised the above-mentioned right; because in return Athenian property, and, consequently, the wine hypothecated in the case under consideration might have been taken away by those, whom the Athenians might have plundered.

Moreover, commercial contracts of this kind had reference, in general, only to the period of navigation from spring until autumn; sometimes, they were made for a shorter period, on a voyage that might quickly be completed. A term was generally allowed for payment after the return. For example, in the contract recited in the speech against Lacritus, principal and interest were to be paid within twenty days after the arrival at Athens; deducting, however, the value of the wine which by the general agreement of those on board the ship might be thrown overboard, or which might be taken by the enemy. But money was often loaned upon maritime interest for a longer period. Thus it is related in Demosthenes, that a certain individual borrowed money in the month Metageitnion, in the midst of summer, and was only bound to return it in the same year; that is, before the beginning of the next summer.<sup>1</sup> In this case, however, a relatively higher rate of interest was doubtless exacted, and it was also higher in proportion to the greater distance of the voyage.<sup>2</sup> But, generally, the creditor called in his capital before winter for his own use during that season.

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<sup>1</sup> Demosth. ag. Dionysod. p. 1283, 19; p. 1284, 10.

<sup>2</sup> Id. p. 1286 near the bottom.



## CHAPTER XXIV.

## OF RENT.

THE rent of houses, of lands, and, finally, of entire estates, must in some measure conform to the rate of interest. The greater part of the foreigners except the isoteleis (μέτοικοι ἰσοτελεῖς) in Athens, including the cities of the harbor, together with a proportionate number of slaves, lived in hired houses. In the term foreigners in the wider sense are comprised the aliens under the protection of the state (ξένοι μέτοικοι); and to this latter class, again, belonged the isoteleis. Many aliens under the protection of the state in the demi<sup>1</sup> also occupied hired houses; for the foreigner in the narrower sense, of course, could not possess a house. When foreigners were sojourning in Athens for purposes of trade or commerce, or in order to prosecute their law-suits (which often detained them for years),<sup>2</sup> or for any other object, they lived, with the exception of those of them who enjoyed the hospitable entertainment of their friends, in hired dwellings. The aliens under the protection of the state, 45,000 souls without their slaves, formed a very large part of the industrial classes. That they, also, with the exception of particular individuals, to whom the privilege was specially granted, could not possess houses, is evident, partly from Xenophon,<sup>3</sup> partly from the circumstance, that no one of this class, but that the citizen only, could lend money on houses and landed property with the certainty of an easy collection of the loan.<sup>4</sup>

Since, namely, the alien under the protection of the state was not entitled to the possession of land, landed property could be no security for him, because he never could obtain the possession of it. For example, those of this class in Byzantium could not

<sup>1</sup> The last is evident from many examples. Comp. Beilage XII. § 42, Böckh. St. der. Athen. Vol. II.

<sup>2</sup> Treatise on the Athenian State, 1. Comp. 3, at the commencement.

<sup>3</sup> On the Public Revenues, 2, 6.

<sup>4</sup> Demosth. for Phorm. p. 946.

obtain possession of the pieces of land, which were mortgaged to them, because they could not acquire a title to real property, until the state, after a considerable deduction from the principal of the loans, allowed them to take possession of the mortgaged lands.<sup>1</sup> This was the law in all the states of Greece. When, therefore, a foreigner became naturalized, or became an *isopolites*,<sup>2</sup> or a *proxenus*,<sup>3</sup> it was customary in the records relating to the transaction expressly to bestow the right of holding real property. Perhaps the right of possessing real property did not belong to the *proxenia* in itself considered, although in Coreyra the state even bought lands for the *proxeni*. They were bought, however, for their use merely. The absolute right of possession was not bestowed.<sup>4</sup> On the contrary in Attica the *isoteleis* must have been entitled to the possession of houses, since Lysias and Polemarchus possessed three houses.<sup>5</sup> With this is consistent

<sup>1</sup> See the *Æcon.* Aristot. II. 2, 3.

<sup>2</sup> See the Byzantine decree, which is of doubtful authority, however, in Demosth. on the Crown, p. 256, and what Taylor there adduces; the inscriptions of Ceos, C. I. Gr. No. 2352 sqq.; the Cretan Inscriptions, C. I. Gr. No. 2558, and No. 3052; the decree of the Locrian Chalcians, No. 1567; of the Thebans, No. 1565; the inscription of Odessa, No. 2065, etc.

<sup>3</sup> The number of the decrees respecting the *proxenia*, in which this is found expressed, is so great that I have not referred to them individually. Instances are found, where with the *proxenia* not only the right of possessing real property, but even the privilege of citizenship, was at the same time bestowed. (See C. I. Gr. No. 2053 b; and No. 2056): not in Greece proper, however, so far as I recollect, but in distant countries, and certainly in the islands (C. I. Gr. Nos. 2330, 2333). More examples may be collected from the C. I. Gr.

<sup>4</sup> C. I. Gr. No. 1840.

<sup>5</sup> Lys. ag. Eratosth. p. 395. Compare also the passage, although not completely to the purpose, of Plato concerning the State, I. p. 328, B. That Lysias terminated his life in Athens as *isoteles* is well known (Lives of the Ten Orators in Plutarch's works, and Phot. Cod. 262); and Cicero (Brut. 16) indicates his having belonged to that class by the use of the expression "*functus omni civium honore*." It may indeed seem, that he first became *isoteles* during the period of the anarchy in consequence of a well-known decree passed during that period in the Piræus. But since there is no doubt that he and his brother already possessed three houses in the period of the anarchy, and, of course, before, and the aliens under the protection of the state, who were not privileged, could not possess houses; the only inference can be, that they possessed the houses as *isoteleis*, and that Lysias did not first become *isoteles* during the period of the anarchy. If Lysias ranks himself and his brother, in the words of Theognis, among the *μέτοικοι* (p. 386), this is not inconsistent with what has been said, since the *isoteles* was also an alien under the protection of the state. In Ussing's Inscr. Gr. inedd. No. 57, a decree of the people is found, by which a Phæliote receives the *isotelia*, together with the right of holding real property. Although

also the right which the isoteleis enjoyed of working the mines. Since, then, the citizens enjoyed the right of possessing houses almost alone, the letting of houses in Athens was an important branch of business. Individuals built houses of their own to let (*συνοικίαι*), and speculators (*ναύκληροι, σταθμοῦχοι*) hired entire houses, in order to let them to sub-tenants.<sup>1</sup>

The rent of houses, like interest, was paid or computed monthly, and commonly collected for the owner by a slave.<sup>2</sup> The assertion of the grammarians,<sup>3</sup> that it was paid at the end of each prytania is, in its general application, absurd, but probably correct, if understood in reference to houses belonging to the state. Xenophon<sup>4</sup> remarks, that the building of houses, if prudently undertaken, was a profitable investment of capital, and might enrich the builder. But the amount of the rent, in proportion to the cost of building, and to the value of the houses, must have been different according to the situation, and have fluctuated according to the increase or decrease of the population. After the period of the anarchy, during which the population was greatly diminished, many houses were untenanted.<sup>5</sup>

The only definite account respecting rent, is found in Isæus.<sup>6</sup> According to this, a house in Melite, worth thirty minas, and another in Eleusis worth five minas, produced, together, an annual rent of three minas; that is, 8 $\frac{1}{2}$  per cent. This is a low rate compared with that of interest, and perhaps cannot, as Salmasius thought it might,<sup>7</sup> be assumed as a general rate. The rent of lands must have been less than the interest of the principal invested in them, had it been loaned. It is also expressly remarked, that in the good old times lands were let to the poorer

the latter is expressly added, it does not follow that this right was not contained in the isotelia itself; for in the same way it is often added in bestowing the privilege of citizenship, in which it was certainly included.

<sup>1</sup> Armonius, Harpocr. Phot. Lex. Rhet. in the appendix to the English edition of Photius, p. 673, and Hesychius on the word *ναύκληρος*, together with the commentators; also Kühn on Pollux, I. 74.

<sup>2</sup> Casaubon on Theophr. Char. 10.

<sup>3</sup> Ammon and Thom. M. on the word *πρυτανεῖον*.

<sup>4</sup> Œcon. 3, 1.

<sup>5</sup> Xenoph. Mem. Socr. II. 7, 2.

<sup>6</sup> Concerning the Estate of Hagn. p. 293.

<sup>7</sup> De M. U. XIX. p. 848.

class for a reasonable rent.<sup>1</sup> According to Isæus,<sup>2</sup> an estate in Thria, worth 150 minas, produced a rent of twelve minas, that is, only eight per cent.

I have treated above of the letting of slaves for hire, particularly together with mines. The rate per cent., however, at which they were let, cannot be determined. For, when it is related in the speech of Demosthenes against Pantænetus,<sup>3</sup> that a mine bought for sixty minas, with thirty slaves, together estimated at 105 minas, was let at a monthly rent of 105 drachmas, no conclusion can be drawn with regard to the point in question, because the record of the lease was a mere form, the lessee was in fact the proprietor, and the rent twelve per cent. interest upon a principal borrowed on the security of the mine and the slaves.

There is a singular account,<sup>4</sup> that Phormio paid an annual rent of 160 minas for Pasion's money-changers' office, beside which, the tenant was required to bring up two children, whom the proprietor had left at his decease. Who, says Apollodorus, would pay so much for the wooden furniture, the room, and the books? The business of the office itself had produced to Pasion only one hundred minas annually. It is true that the above assertion is even found in the record of the lease;<sup>5</sup> but this, however, is not sufficiently authenticated. If the rent was so high, it must be assumed, with Apollodorus, that Pasion at the same time loaned money to Phormio, which was invested in the business. The office was afterwards let — of course, not the apartment, furniture, and books, according to their material value, but the custom of the office, without the capital invested in the business, however — for a talent.<sup>6</sup> The lessee might then, by doing business with borrowed capital, which would be lent

<sup>1</sup> Isocr. Areopag. 12. For an example of an emphyteutic leasing of an estate at Mylasa for a very low rent, less than five per cent. of its value, see C. I. Gr. No. 2693, e., and of another of the same kind at Gambreion in Mysia for a still lower rent, C. I. Gr. No. 3561. This emphyteutic rent is called *φόρος*.

<sup>2</sup> Id.

<sup>3</sup> P. 967.

<sup>4</sup> Demosth. for Phorm. p. 956, 6; p. 960, 10.

<sup>5</sup> Demosth. ag. Steph. I. p. 1111. Respecting the suspiciousness of the record, see p. 1110, 18.

<sup>6</sup> Demosth. for Phorm. p. 956, 10; p. 948, 15.



from confidence in the house of Pasion, still have made great profits.

The leasing of the whole estate (*μίσθωσις οἴκων*)<sup>1</sup> produced to its proprietors, if Demosthenes may be believed, a great profit; much more than twelve per cent. Families that possessed property to the amount of from one to two talents, often increased it in this way two and threefold. As, for example, the property of Antidorus, which was leased by a certain Theogenes, was increased in six years from three and a half to six talents.<sup>2</sup> In this manner the archon was required, together with the guardians, to lease the property of orphans. In case of neglect, or violation of the law in this particular, that form of action called phasis could be brought against them. The lessee was required to give a pledge (*ἀποτίμημα*) also as security.<sup>3</sup>

<sup>1</sup> Comp., in respect to the signification of *οἶκος*, Xenoph. *Œcon.* 1, 4, 5.

<sup>2</sup> Demosth. ag. Aphob. I. p. 831, 26 sqq.; p. 833, 22 sqq.; ag. Aphob. *ψευδομαρτ.* p. 866, 20.

<sup>3</sup> Lysias ag. Diogeit. p. 906, near the bottom. Isæus concerning the Estate of Philoctem. p. 141; Demosth. ag. Aphob. in the passages above cited; ag. Onetor. II. p. 887; Harpocr. on the word *ἀποτιμηταὶ* together with the commentators; Hesych. on the word *ἀποτίμηματα*; Pollux, VIII. 142, and 89, together with the commentators. Comp. Herald. Animadv. in Salmas. Obs. ad I. A. et R. III. 6, 5 sqq. Respecting the *ἀποτίμημα* in leases, comp. C. I. Gr. No. 82, 103, and with C. I. Gr. No. 530, also No. 532. In reference to this subject may also be cited the *ὅρος*, C. I. Gr. No. 532: *ὅρος χωρίου καὶ οἰκίας ἀποτίμημα παιδὶ ὀρφανῷ Διογείτονος Προβα*. Respecting the phasis, see Pollux, VIII. 47, the Epit. of Harpocr. there cited, and Etym. Phot. Suid. Lex. Seg. p. 313, 315.



## B O O K I I.

OF THE MANAGEMENT OF THE FINANCES, AND OF  
THE EXPENDITURES OF THE STATE.





## BOOK II.

OF THE MANAGEMENT OF THE FINANCES, AND OF THE  
EXPENDITURES OF THE STATE.

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### CHAPTER I.

WERE THE FINANCES IN THE STATES OF ANTIQUITY OF THE SAME  
IMPORTANCE AS IN MODERN TIMES ?

WHEN we, after these preliminary investigations, come to the Attic public economy itself, the question first presses itself upon our notice, whether among the ancients the finances were of that extraordinary and all-absorbing importance, and had the same influence with respect to the duration and ruin of states, as in modern times. Hegewisch<sup>1</sup> first expressed his surprise that the states of antiquity hardly ever, while modern states frequently, experienced revolutions on account of the taxes and of the state of the finances. With regard to this matter, the definite conclusion was afterwards formed, that in ancient times, defects in the political constitution with respect to the security of rights, and to the judiciary, but in modern times in the financial system, were the especial occasions of revolutions in the state.<sup>2</sup> This conclusion is undeniable, so far as this, that in the democratic states of ancient times a revolution could not easily

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<sup>1</sup> Hist. Versuch über die Röm. Fin. p. 44 sqq.

<sup>2</sup> Wagemann de quibusdam causis, ex quibus, tum in veteribus, tum in recentiorum civitatibus, turbæ ortæ sunt, aut status reipublicæ immutatus est, Heidelberg, 1810, 4.

arise internally from a refusal to pay the taxes. But democracy was the prevailing form of government in ancient Greece during its most flourishing periods. In this form the exactor and the payer of taxes, are apparently one and the same. Whence, then, could come a refusal to pay them? But it must be borne in mind, indeed, that in the complete democracy the poor, who were the majority, have the disposal of the property of the rich, who are in the minority. Although, therefore, the payment of taxes may not be refused, yet democratic oppression produces discord between the possessors of property and the poorer class. From the relations of property then there arose frequent commotions,<sup>1</sup> and indeed the great conflict between the aristocracy or oligarchy and the democracy, which continually agitated all Greece, was a conflict between the possessors, and those who were destitute of property. After the democracy, or rather the ochlocracy, had gained the ascendancy, the possessors of property were so exhausted by excessive exertions, that the prosperity of Greece, and with it its power, declined. Again, the people never pay in a democracy, as may happen in aristocratic or despotically governed states, for undertakings which are foreign to their true or apparent interest. Although, therefore, discontent might prevail among individuals, yet the majority of the citizens were satisfied with the financial measures of the state, because they had arranged them themselves. And it is as certain that insurrections could not arise from those measures, as it is that commotions among the people never followed a public call to war. The sources of public disturbances, then, must have been disparagements of the rights of the citizens, particularly with respect to participating in the government. On the contrary, in modern monarchies the people, generally unconcerned who governs, feel themselves oppressed only by those who by taxes, and other restraints, disturb the enjoyment of property, and increase the difficulty of obtaining the means of living; except that in particular periods, in which political questions were more generally agitated, the people have desired a more unrestricted acknowledgment of their rights. In the states of antiquity, which were not under

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<sup>1</sup> Many, therefore, correctly thought, τὸ περὶ τὰς οὐσίας εἶναι μέγιστον τετάχθαι καλῶς. *ἐπεὶ γὰρ ποσίων ποιῆσθαι . . . τὰς στάσεις πάντας.* (Aristot. Polit. II. 4, Schol.)

democratic rule, the government of tyrants, in particular, was indeed hated on account of oppressive burdens, but still more on account of the deprivation of freedom in general. From both combined there arose innumerable revolutions.

Nevertheless, the care bestowed upon their finances in the free states, was by no means so inconsiderable as many have imagined. Money was not less esteemed than at the present time. The wants of the state were not, at least as far as Athens is concerned, relatively less than they are in Europe at the present time, although the objects of their disbursements, and the means to help themselves out of pecuniary difficulties were, according to the difference of circumstances, in part very different from ours. For example, the ancients had, for reasons to which we will refer in the sequel, no artificial public debt. But the supplying of the exigencies of the state was not on that account the less burdensome to individuals. For when at the present day new taxes are requisite, in order gradually to pay the interest and principal of the public debt, a demand is not made upon the tax-payer at the moment when the exigency occurs, but he can pay, in a succession of years with moderate interest, the sum which it would be very inconvenient for him to advance at that time at once. On the contrary, in ancient times, in general, the means for defraying the expenses of the commonwealth were to be supplied at once by the tax-payers, and they were obliged to sacrifice a part of their capital, which they might have advantageously invested in the extension of their business, or in new branches of industry. So that the want of a public debt rather increased the burdens of the citizens of the ancient states, and their system of finance was more oppressive.

That in Athens no archon was at the head of the administration of the finances, cannot be adduced to prove a disregard for the same, since the influence of the archons was, at an early period, diminished. But everywhere the finances were in the hands of the rulers, the passing of laws respecting them at Athens dependent upon the people, their management upon the highest council of the state. At that time, as it is at present, the administration of the finances was considered one of the most important branches of the public business, and he who brought them into a flourishing condition, as Aristides and Lycurgus, for example, won for himself the favor of his country-

men, and imperishable fame. Some of the statesmen of ancient Greece employed themselves, even exclusively, with this part of the public business,<sup>1</sup> and all the principal demagogues sought to obtain mediate, or immediate, influence upon the same, because the public money was the especial means by which they gained, and retained the favor of the people. As, for example, Eubulus of Anaphlystus,<sup>2</sup> devoting himself particularly to the administration of the finances, gained the enduring love of his fellow-citizens; principally, to be sure, by flattering the covetousness of the people, eager for enjoyment, by the distribution among them of the prudently acquired and well-managed funds of the state, and by the profusion of his public expenditures. Were it not that at Athens every measure at all comprehensive and general was determined by an assembly of the people, the offices of those who administered the finances, would have been stations of no less importance, than they are in modern states. Yet as it was, the office of the superintendent of the public revenues was one of the most important of the public trusts.

Finally, the ill-regulated financial system of Athens contributed essentially to the ruin of the state from the period when it began to be threatened from without. When the body of the state suffers, the soul must at the same time become sick, or incapable to conduct its business. Excessive exertion and dissoluteness disorders the body of the state, as of the individual. But Athens overstrained its sensitive and corporeal powers, among which money is not the least important, partly in noble and strenuous efforts to accomplish grand objects, partly by a vain prodigality in sensual gratification, which was followed by a weakness and relaxation, rendering her unable to endure an energetic blow. Can it then indeed be maintained that the system of finance was less important to the ancients than it is to us, and that it had less influence upon the prosperity of the state? Certainly not, if the comparison be properly made, and the difference be not overlooked between the size of the most remarkable and the most important states of antiquity, and those of Europe at the present day.

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<sup>1</sup> Aristot. *Polit.* I. 7, (11).

<sup>2</sup> Plutarch, *Præc. Reip. Græc.* 15. Comp. *Æsch. ag. Ctesiphon*, p. 417.



J. J. Rousseau<sup>1</sup> asserts that the influence of the administration of the finances increases in the same proportion that the operation of other springs of influence diminishes, and that a government has arrived at the last degree of corruption, when it has no other sinew than that of money: and that when that is the case with any government, it becomes continually more and more relaxed, and consequently that no state in that condition could prolong its existence, if its revenues did not incessantly increase. If these remarks should not be correct to the unqualified degree in which they are expressed, although experience, for the most part, leads to such conclusions, yet it is certain, that where the more noble springs of the human mind are in active operation, the state has much less need of an artificial machinery for procuring money, because, so soon as an exigency occurs, the citizens are excited, for the supply of the same, to avoid no sacrifice or exertion. This may be applied to Athens before the administration of Pericles, and, particularly, before the Peloponnesian war, which period was the turning-point of the disposition and manners of the Athenians. The oppression of the confederated states, and the service for hire connected with it, taught them to endeavor to acquire greatness rather at the cost of others than by their own sacrifices. The poison, however, operated slowly, because the feeling of dignity which they had gained by conquering the barbarians, and delivering their common native land, was not entirely extinguished, because the love of distinction took the place of nobler motives, and because through the hope of the rich compensation which victory might bestow, temporary sacrifices were not declined. But the administration of the finances certainly acquired a greater importance from the time of Pericles, and the want of money increased with the relaxation of the moral strength. Athens was able, however, to increase her revenues in the same degree by increasing the amount of the tribute imposed upon the confederate states, and extorting taxes and customs, and maintained herself, notwithstanding great calamities and defeats, until her moral power was entirely dead, and her revenues, instead of increasing, were even diminished. She then became powerless, and lost her independence.

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<sup>1</sup> Discours sur l'origine, et les fondemens de l'inégalité parmi les hommes, p. 314 (Geneva, 1782, Vol. I. of his works).

Rousseau draws the conclusion from the above-mentioned positions, that the first rule in the administration of the finances of a state, is to anticipate its exigencies, and to take the greatest care to prevent their occurrence. For relief always comes in spite of all solicitude after and slower than the evil, and the state, consequently, is left in a suffering condition. Indeed, while one is seeking to relieve one exigency, another already makes itself felt. The new means employed for relief themselves occasion new difficulties, the people are burdened, the government loses all energy, and accomplishes but little with much money. From the observation of that principle, the preventing the rise of pecuniary exigencies, he believed that he could explain the wonderful success of the ancient governments, which accomplished more by their economy, than ours with their treasures. I present this remark for the purpose of suggesting, that no one can apply it to Athens, where, from the time of Pericles, want arising upon want, the administration of the finances constantly increased in importance, and the destitution of the state in extent. Particularly is this evident with respect to the various compensations for public services, which were, to be sure, in part occasioned by the circumstances of the times, by the poverty of the citizens, and the great pretensions which the state would not yet resign, but which it could no longer of itself substantiate. This increase of the wants of the state, far above the measure of its internal resources, rendered it necessary for the Athenian people to bestow greater care upon the finances than any other Greek state.

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## CHAPTER II.

### ABSTRACT OF OUR INVESTIGATIONS.

If we would acquaint ourselves with the financial system of Athens, in its full extent, we must consider in what manner her finances were administered, what were the wants of the state,

what revenues the state had for the supply of the same, and whether these were sufficient for the purpose, or even furnished a surplus, and what extraordinary means of aid were employed upon the occurrence of pecuniary embarrassment. We confine ourselves, in the consideration of the subject, excluding subordinate communities and corporate bodies, to the administration of the state itself; although, since Athens was both a city and at the same time a state, many things must be included in the finances of the state, which in larger states would be under the direction of a subordinate community, and also many branches of the finances of subordinate communities stood in so close connection with the state, that they cannot, therefore, be omitted. The expenses of the temples, and of religious communities, were paid partly from revenues of their own, independent of the state; and of these I will not treat. But as far as the state furnished supplies, or made use of the revenues and treasures of religious institutions upon the occurrence of pecuniary embarrassments, stipulating to return them,<sup>1</sup> the finances of the state, and of these institutions are blended together, and the latter deserve, therefore, at least occasional notice.

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### CHAPTER III.

THE HIGHEST AUTHORITY FOR PASSING LAWS RESPECTING THE FINANCES, AND FOR THE ADMINISTRATION OF THE SAME: THE PEOPLE AND THE COUNCIL. PREPARATORY FINANCIAL OFFICES.

THE commonalty of Athens was lord and master (*κύριος*) of the legislative authority in all things, and, consequently, in matters of finance. By the legislation that proceeded from them, all regular disbursements and receipts were determined, and it was requisite that every extraordinary measure that was adopted should receive the sanction of a decree of the people. But the

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<sup>1</sup> Compare, for example, Thucyd. II. 13; VI. 8.

administration of the government was in the hands of the council of five hundred, as the accountable agent of the people. This council prepared their estimates and accounts for the assemblies of the people, assisting them with their advice, and they had the different branches of the public economy under their supervision. That the council had this comprehensive sphere of duties in respect to the finances, is evident from the particular instances of its action. In it was included, according to the treatise on the Athenian state,<sup>1</sup> the providing of money, the receiving of the tributes, and, as is to be concluded from another source,<sup>2</sup> other duties relating to them, the administration of the marine, and of the affairs of the sanctuaries. Under their superintendence the revenues were farmed. To them those who were in possession of any public or sacred moneys belonging to the state, were bound to pay these moneys, or in case of non-payment, it was the duty of the council to collect them according to the laws relating to the farming of the revenues.<sup>3</sup> Hence they were authorized to bind and imprison the farmers of the same, or those who had given security for them, and also the collectors of taxes, when payment was not made.<sup>4</sup> In it the apodectæ presented reports respecting the receipts and the outstanding dues. Before it the treasurers of the goddess Minerva delivered and received the treasures belonging to the temple of the same, and also received the payment of the fines which were assigned to the use of that temple. It determined the manner in which the moneys appropriated should be expended, even in minute particulars, as, for example, with respect to the compensation to be paid to the poets employed on behalf of the state. The superintendence of the cavalry maintained by the state, and the examination of the infirm persons supported by the commonwealth, also, are mentioned among its duties. Under its direction the public debts were paid.<sup>5</sup> We are warranted, therefore, to assume, that all the other branches of the public economy were intrusted to their sovereign superintend-

<sup>1</sup> 3, 2. *Comp. Petit. Leg. Att. II. 1, 1.*

<sup>2</sup> *C. I. Gr., No. 75, 17 seq.*

<sup>3</sup> *Demosth. ag. Timocr. p. 730.*

<sup>4</sup> See the oath in *Petit. III. 1, 2. Comp. 10.*

<sup>5</sup> *Beilage, III. § 5, Bœckh, St. d. Athen. Bd. II.* An indistinct mention of the council in reference to pecuniary matters is found in *C. I. Gr. No. 80.*



ence. In the more ancient periods of the commonwealth, the Areopagus, whose authority before the diminution of its power by Ephialtes, was so great, may have had competence with respect to the administration of the finances. During the period of the Persian wars this body once caused to be paid eight drachmas to each man who bore arms or served on board the fleet.<sup>1</sup> This payment was certainly not made from their own private property, although it has been said that the Athenians had at that time no public money, but from the treasury of the state. From this I would infer the competence of this supreme council of government also to dispose of the public money. With respect to the question, whether, in later periods, the Areopagus obtained an active participation in the management of the tributes, as I have conjectured that they did, no certain conclusion can be drawn.<sup>2</sup>

The officers and servants, subordinate to the council, through whom the finances were administered, were, in the first place, those who made the necessary regulations and preparations for collecting the revenues, or who collected the same; secondly, treasurers, who had the charge of the treasuries, into which the revenues were delivered, in which they were kept, and from which they were paid out; finally, those who received the accounts. Of the first it will be necessary to say but little, since in treating of the revenues it will be requisite that the manner in which they were managed shall be again in part considered.

All the regular revenues were leased to the farmers of the same (*τελῶναι*). For the collecting of them, therefore, no separate officers were needed, except for receiving the money from the farmers. But there was a board of officers needed, who should have charge of the leasing, or as the ancients expressed it, the sale of the revenues. Every thing which the state sold, or leased; revenues, real property, mines, confiscated estates, in which is to be included also the property of public debtors, who were in arrear after the last term of respite, and the bodies of the aliens under the protection of the state, who had not paid the sum required for protection, and of foreigners who had been

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<sup>1</sup> Plutarch, Themistocl. 10, from Aristotle.

<sup>2</sup> See C. I. Gr. No. 75, and on the contrary the Addenda.

guilty of assuming the rights of citizenship, or of the crime called apostasion; all these, I say, together with the making of contracts for the public works, at least in certain cases and periods, were under the charge of the ten *poletæ*, although not always without the coöperation of other boards of officers. Each of the tribes appointed one of the members of this branch of the government (*ἀρχή*), and their sessions were held in the edifice called the *Poleterium*.<sup>1</sup> Among them there was a *prytanis* who presided. In later times the superintendents of the *theoricon* were associated with them, to form a board for the sale of the revenues, and, without doubt, of the confiscated estates.<sup>2</sup> But they conducted all their measures in the name, and under the authority of the council. For that reason we read of the coöperation of the latter, for example, in the sale of the customs of the fiftieth part levied upon merchandise imported and exported, and of the tax imposed upon prostitutes.<sup>3</sup>

On the contrary, the property of the temples was managed and leased by the superintendents of the sanctuaries, as may be inferred from the inscription on the Sandwich marbles, in which the *amphictyons* of Delos gave an account of the leases which they had made.<sup>4</sup> A document respecting the property of the temple of Delos of Olymp. 86 (B. C. 436), refers to the same subject.<sup>5</sup> The property of the tribes, and districts, and other communities, was leased by themselves through their presidents, and their revenues were also collected by the same officers.<sup>6</sup>

Another class of the public revenues were the moneys derived from the courts in the administration of justice, and the fines. These were recorded by the presidents of the court which had

<sup>1</sup> Aristot. on the Athenian State in Harpocr. on the word *πωληταί*; Suidas on the words *πωληται*, and *πωλητής*; Phot. on the word *πωληται* (twice); Hesych. and Lex. Seg. p. 291; Pollux, VIII. 99; Harpocr. on the word *μετοίκιον*; Speech ag. Aristogeiton, I. p. 787 near the bottom; Seeurkunde XVI. p. 544, together with the note p. 543, seq. Compare Petit. II. 5, 2. The explanation in Lex. Seg. p. 192, 21, is a poor one. Respecting the contracting for the public works, see Book II. 10, of the present work.

<sup>2</sup> Pollux, VIII. 99. His expression is somewhat equivocal.

<sup>3</sup> Compare Book III. 4 and 7 of the present work.

<sup>4</sup> Beilage VII. Böckh. St. d. Athen. Vol. II.

<sup>5</sup> Published by us in the "Schriften der Akad. d. Wiss." of the year 1834.

<sup>6</sup> C. I. Gr. Nos. 82, 88, 89, 93, 102, 103, 104; Demosth. ag. Eubulid. p. 1318, 18.

decided the cause, or when the Archon himself had imposed a fine (*ἐπιβολή*), the registry of it was entered by him, and what fell to the state was assigned to the so-called collectors (*πράκτορες*), but what was sacred, to the keepers of the treasury to which it belonged.<sup>1</sup> An instance is found in which these treasurers, upon their own responsibility, annulled a fine (*ἐπιβολή*) imposed by the magistrate.<sup>2</sup> Certain fines were recorded as assigned to the Archon-king, who in this particular was placed on the same footing with the praetores, and treasurers of the goddess Minerva, and of the other gods.<sup>3</sup> Probably the fines, or parts of fines, which fell to the heroes from which the tribes derived their names, were recorded as assigned to him. When the fine was paid, the board of officers to which belonged the collecting of the same, as, for example, the praetores, together with the council, erased from the record the name of the person who paid it.<sup>4</sup>

The tributes of the allied states were required to be delivered without a particular demand of the same. Yet there were needed also for these, certain temporary boards of officers; as those, for example, which, when new estimates were made, determined the sums to be paid by the dependent state, and others who collected the tribute when it was not paid (*ἐκλογεῖς*). The latter were chosen (*ἡρεθίσαν*) from the rich, that is, elected by cheirotonia. Neither they, nor the former class, can be considered as a permanent board of financial officers. They are not necessarily the same as the argyrologi, who were so often sent abroad to collect money. They are mentioned only in a fragment of Antiphon respecting the tribute of the Samothracians, as a board of officers appointed for a particular case, and in a frag-

<sup>1</sup> Andocides concerning the Myst. p. 36; Inscription in Rangabé's *Ant. Hell.* No. 297 (before the time of Euclid); Demosth. ag. Macart. p. 1074; Æsch. against Timarch. p. 62, 63; Speech ag. Theocrin. p. 1327, 29, p. 1337, 26; Speech ag. Aristog. I. 778, 18.

<sup>2</sup> Lysias *ὕπερ τοῦ στρατιώτου*, p. 323 seq. From this passage seems to have been derived what Pollux, VIII. 97, says either of the treasurers, or of the colacretæ, who are, however, to him the same with the former: *εἶχον δ' ἐξουσίαν καὶ ζημίαν ἀφελεῖν, εἰ ἀδίκως ὑπὸ τῶν ἀρχόντων ἐπιβληθείη*. Heffter, *Athen. Gerichtsverf.* p. 419, has remarked, that this was done, and could be done by the treasurers in respect to an *ἐπιβολή* only at their own risk.

<sup>3</sup> Andocid. concerning the Myst. p. 37.

<sup>4</sup> *Id.* p. 38.

ment of Lysias.<sup>1</sup> As the Spartans had harmostæ, so the Athenians had episcopi, and similar officers, as magistrates, in the tributary states.<sup>2</sup> But we know not whether they had any thing to do with collecting the tributes. The mention of them by Antiphon, in his speech concerning the tribute of the Lindians, is not a sufficient evidence for the decision of that point.

To see that the ordinary public services (*λειτουργίαι*) were properly performed by the citizens, was the duty of the several tribes, and belonged consequently to the sphere of duties of the presidents of the tribes (*ἐπιμεληταὶ τῶν φυλῶν*). Beside this, the superintendence of the treasuries of the tribes is also ascribed to them by ancient authors.<sup>3</sup> That with respect to the former duty, however, the board of officers who were charged with the care of the festival, for which the public service was to be performed, were required to coöperate with them,<sup>4</sup> is evident from the nature of the case. Over the trierarchy partly some other boards of officers, to be designated in the sequel, had the superintendence, and partly the presidents of the associations formed for the purpose of discharging that public service. In the more ancient times, without doubt, the naucrari, and later the superintendents of the symmoriæ (*ἐπιμεληταὶ τῶν συμμοριῶν*), together with the military board instituted for the symmoriæ, exercised the same superintendence. For the extraordinary property tax (*εἰσφορά*) particular persons were appointed for the purpose of determining the quota of each individual liable to the tax. They were called *ἐπιγραφεῖς* or *διαγραφεῖς*, and were probably ten in number. These officers also informed against the tardy payers.<sup>5</sup> Beside these, the leaders of the symmoriæ, after this institution was introduced in relation to the property tax, had the main charge of the apportionment. For collecting there was likewise needed a board

<sup>1</sup> In Harpocr. and Suid. on the word *ἐκλογεῖς*. The Lex. Seg. p. 245, 33, also mentions these *ἐκλογεῖς*.

<sup>2</sup> See Book III. 16, of the present work.

<sup>3</sup> See Sigon. de Rep. Athen. IV. 2. The principal passage is Demosth. ag. Mid. p. 519.

<sup>4</sup> Demosth. as above.

<sup>5</sup> Harpocr. on the words *ἐπιγραφεῖς*, *διάγραμμα*; Suidas, in various passages on the words *ἐπιγραφεῖς*, *διαγραφεῖς*, *διάγραμμα*, and *ἐπιγνώμονες*; Etym. on the words *ἐπιγραφεῖς* and *ἐπιγνώμονες*; Lex. Seg. p. 254; Pollux, VIII. 103. Comp. Isocr. Trapez. 21; Sigon. R. A. IV. 3.



of officers, the *ἐκλογεῖς*.<sup>1</sup> This board was appointed by lot (*κλήρωσιν ἀρχή*).<sup>2</sup> In all business relating to the property tax, the demarchi must have been particularly useful, and in the more ancient periods of the state the *naucrari*; <sup>3</sup> for they could give the most correct information respecting the property of the inhabitants. When the collecting of the public money from the citizens is attributed to the demarchi,<sup>4</sup> the demands which a district, as such, had against its own members, or other persons, are thereby, to be sure, particularly intended. But yet it must be acknowledged that they were also charged with collections of all kinds, even of money belonging to the state.<sup>5</sup> For the collection of arrears of the property tax, the council and people also, in one instance, elected particular persons by *cheirotomia*, setting aside the *ἐκλογεῖς* selected by lot, in consequence of a decree of the people. At that time Androtion, together with nine others, were thus elected for that purpose.<sup>6</sup> For similar objects were introduced, after the rule of the thirty, but only temporarily, however, the syndics (*σύνδικοι*), fiscals of the state, who passed judgment respecting confiscated property; <sup>7</sup> the *συλλογεῖς*, who registered the property of the oligarchs which was to be confiscated; <sup>8</sup> the *ζητηταί*, a board of fiscal officers sometimes constituted in order to ascertain who was indebted to the state, particularly on ac-

<sup>1</sup> Suid. on the word *ἐκλογεῖς*. In this passage, however, they are confounded with the *διαγραφεῖς*. These *ἐκλογεῖς* are perhaps the *εἰσπράττοντες τὰ στρατιωτικά* whom Demosth. ag. Polycl. mentions in relation to a particular case.

<sup>2</sup> To them, namely, I refer the passages of Demosthenes ag. Androt. p. 607 seq.; ag. Timocr. p. 750. In these the subject of discourse is the ordinary board of officers for collecting the *εἰσφορά*. Here may be cited also the passage Lex. Seg. p. 190, 26, *κληρονομαὶ ἀρχαὶ πρακτόρων, ἐκλογέων καὶ ἀντιγραφῇ*.

<sup>3</sup> Comp. Pollux, VIII. 108.

<sup>4</sup> Demosth. ag. Eubulid. p. 1318, 20. Compare, respecting the *naucrari* in this particular, Book III. 2 of the present work.

<sup>5</sup> An example, though an obscure one, it is true, may be found in C. I. Gr. No. 80. Platner, *Beitrage zur Kenntniss des Attischen Rechts*, p. 219 sqq., treats more amply of this point, together with the vouchers for it.

<sup>6</sup> Demosth. ag. Androt. p. 607 seq.; Timocr. p. 750. That they were elected by *cheirotomia* is mentioned in the speech ag. Androt. p. 611; that they were ten in number, in the speech ag. Timocr. p. 762.

<sup>7</sup> Sigon. R. A. IV. 4; Petit. III. 2, 31. In the latter, Wesseling, from Valesius on Harpocr. on the word *σύνδικοι*, cites the clear passages from Lysias (for Mantith. p. 574; *περὶ δημ. ᾠδικ.* p. 597; ag. Poliuch. p. 613; for the Property of Aristoph. p. 635). Phot. also on the word *σύνδικοι*, has the article from Harpocr. Compare Herald. *Animadv. in Salmas. Obs.* III. 10, 13.

<sup>8</sup> See Beilage VIII. § 2, 7, Böckh. *St. d. Athen.* Vol. II.

count of embezzlement of the public funds.<sup>1</sup> But those persons were also called by the same name with these last-mentioned officers, who were charged by the state in certain cases with the discovery and investigation of other crimes.<sup>2</sup> Pollux<sup>3</sup> includes these, and the *practores*, among the servants (*ὑπηρέτας*) of the state. But they were rather a board of government officers (*ἀρχή*); and even eminent citizens were not ashamed to occupy these stations.

## CHAPTER IV.

### THE APODECTÆ.

ALL the revenues, which were under the superintendence of the preparatory boards of officers, were required to be delivered to others, which distributed them for use, or retained them for safe-keeping. When Aristotle<sup>4</sup> speaks of the officers of government, to whom the public revenues were delivered, who kept them and distributed them to the several administrative departments, these are called, he adds, *apodectæ* and *treasurers*. In Athens the *apodectæ* were ten in number, in accordance with the number of the tribes. They were appointed by lot. Their office was introduced by Cleisthenes in the place of that of the

<sup>1</sup> Sigon. R. A. IV. 3; Hudtwalcker concerning the *Diætetæ*, p. 58, and beside these, Demosth. ag. Timocr. p. 696, 9; Lex. Seg. p. 261. Sluiter, also, in his Lect. Andocid. p. 55, gives both the last two passages. Comp. Phot. on the word *ζητητής*. In Pellene they were called *μάστοροι*: *μαστήρες* was found in Hyperides. See Harpocr. Lex. Seg. p. 279; Suid. Phot. on the words *μαστήρες* and *μάστευρες*. According to the last, in the first article, and to the Lex. Seg., these officers were employed in scrutinies respecting the confiscation of goods, and were, therefore, closely related to the *σύλλογτοις*. When, moreover, Hudtwalcker, p. 32, appears to consider the *zetetæ* as officers of the government (*ἀρχή*), only as far as judges, heralds, secretaries, may be so considered, this, in my opinion, is incorrect. But this is not the place to explain the meaning of the word *ἀρχή*, and of its opposite, *ὑπηρεσία*, as used with respect to the Athenian State.

<sup>2</sup> Andocides concerning the Mysteries, p. 7, 18, 20, 32.

<sup>3</sup> VIII. 114, 115.

<sup>4</sup> Polit. VI. 5, 4, Schn.

ancient colacratæ,<sup>1</sup> and it continued even after the time of Euclid, except that, through the influence of Eubulus, the superintendents of the theoricon had wrested for a time the business of the same to themselves.<sup>2</sup> They had in their possession the lists of the debtors to the state, received the money which was paid in, registered an account of it, and noted the amount in arrear, and in the council house in the presence of the council, erased the names of the debtors who had paid the demands against them from the list, and deposited this again in the archives. Finally, they, together with the council, apportioned the sums received, that is, they registered the apportionment of them, to the several treasuries to which they belonged. Aristotle, in his treatise on the political constitution of Athens, has described with precision their sphere of business. To it belonged the decision of the lawsuits, which related to the matters under their superintendence,<sup>3</sup> as was the case at Athens with almost every board of officers. So far as we can perceive from the accounts of their proceedings which have been preserved, they took, in the sessions of the council in which they erased the names of the debtors who had paid their dues, all the money of the state into their possession.<sup>4</sup> But they had no treasury, to which particular branches of the public expenditures might be assigned. It scarcely needs to be remarked, that it does not follow, from the words of Aristotle just cited, that there was such a treasury of the apodectæ specially for Athens, and such a treasury would not be consistent with the organization of the Attic financial offices. They only registered the apportionment of the money received to the several treasuries to which it belonged. And since the money could

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<sup>1</sup> Androtion in Harpocr. on the word ἀποδέκται. The opinion is falsely ascribed to me, that the apodectæ were first introduced under Euclid. This I have never, and nowhere said, but it is through a misunderstanding inferred from a remark in C. I. Gr. No. 84, p. 123 b., the sense of which, as is evident from p. 124 b., is entirely different from what has been supposed.

<sup>2</sup> Book II. 7 of the present work.

<sup>3</sup> Pollux, VIII. 97 ; Harpocr. on the word ἀποδέκται, from Aristotle and Androtion ; Suid. Etym. Hesych. Lex. Seg. p. 198 ; Zonar. on the word ἀποδέκται. I remark here once for all, that I shall not always cite the name of the last-mentioned author ; since he, in general, only copied what he found. The apodectæ are also mentioned in Demosth. ag. Timocr. p. 750, 24, as persons who were present at the payments of money.

<sup>4</sup> Beside what has been already said, reference may be here made to the documentary proofs from the inscriptions relating to the Athenian Marine. See the introductory treatise to the same, p. 57.

not always be distributed among the several treasuries as soon as it was received, there must have been at times, we know not where, perhaps in the council house, money lying by them for future payment. We find, then, that they distributed, at the appointed time, from the money which had been paid in to them, the sums assigned by law to definite objects;<sup>1</sup> of course, as a general rule, to the several treasuries, which were constituted for those objects.

Even although their powers be considered to have been thus limited, yet it will not seem strange that the receipt of the tributes of the allied states is expressly ascribed to them by Pollux, notwithstanding the Hellenotamiæ seem to have been designed for that purpose. For, although the latter were, before the transfer of the Delian treasury to Athens and its connection with that of the Athenians, the only receivers, and, at the same time, keepers of the tributes, yet afterwards the tributes might have been received by the apodectæ in the council, and then have been delivered to the treasury of the hellenotamiæ for the payment of the public expenses which were assigned to it. Finally, after the abolishing of the office of the hellenotamiæ, no other board of officers could receive the quotas of the allies, except the apodectæ. It would, however, be perfectly consistent with this if money for a single expenditure was also sometimes assigned by the people to the apodectæ for direct payment to the executive board of officers, with respect to which it might have been supposed that it ought to have been paid from the treasury of one of the particular administrative officers or boards of officers. But the passages, which seem to warrant the assumption that this was the fact,<sup>2</sup> are, however, not decisive; since it is not clear that the payment in question was made directly from the apodectæ to the executive board of officers, and not to a particular administrative board. For the tribes and districts, the treasurers of the same<sup>3</sup> attended, conjointly, to the receipt of the money

<sup>1</sup> C. I. Gr. No. 84 (from Olymp. 100, 4, v. c. 377): *μερίσαι δὲ τὸ ἀργύριον τὸ εἰρημῆνον τοῖς ἀποδέκταις ἐκ τῶν καταζυλλομένων χρημάτων ἐπειδὴν τὰ ἐκ τῶν νόμων μερίσων.*

<sup>2</sup> C. I. Gr. No. 84. Documents in the inscriptions respecting the Athenian Marine, No. 14, b. 205, p. 464. In this passage instead of [δοῦνα]ι, [μερίσαι]ι is rather to be written, in accordance with the length of the hiatus; Ephem. Archæol. No. 301.

<sup>3</sup> See, respecting these, C. I. Gr. No. 82. In this passage two treasurers of a dis-



that was due to them, with which, however, the collecting is not to be confounded. This latter was done, at least in certain cases, by the demarchi,<sup>1</sup> just as in the receipt of money belonging to the tribes other officers beside the treasurers participated.<sup>2</sup> The treasurers had also, of course, the keeping of this money. The revenues belonging to the sacred treasuries were, likewise, delivered to their appropriate treasurers independently of the apodectæ.

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## CHAPTER V.

### TREASURERS OF THE GODDESS MINERVA, AND OF THE OTHER DEITIES.

EVERY temple of any degree of importance had a treasure, which consisted of the surplus of the proceeds from the lands dedicated to its use, the presents made, and of the income flowing from other sources to the god to whom the temple was consecrated. These treasures were under the care of the treasurers of the sacred moneys (*ταμίαι τῶν ἱερῶν χορημιύτων*).<sup>3</sup> In Athens the most important sacred treasure was that of Minerva in the citadel. Into this flowed, to say nothing of the public money therein deposited, beside the rich votive offerings, and large amounts of rent, many fines entire,<sup>4</sup> of others the tenth part, and also the tenth of all booty, and of confiscated property.<sup>5</sup> The

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trict are mentioned; unless, according to the various reading in the Add., *ταμίαις* is to be written. Further, No. 70, a; in this, at the very commencement, two treasurers of the district of the Scambonidæ seem to be meant. Nos. 88, 89, 93, 102; in this last the *ταμίαι* of a demus are named in the plural. No. 100; in this a *ταμίης* of the demus, and at the same time a controller (*ἀντιγραφεύς*) of the same are mentioned. C. I. Gr. No. 104; in this the *ταμίης* of a tribe is mentioned.

<sup>1</sup> C. I. Gr. No. 101.

<sup>2</sup> C. I. Gr. No. 104.

<sup>3</sup> Aristot. Polit. VI. 5, 11, Schn.

<sup>4</sup> See Book III. 12, of the present work.

<sup>5</sup> While the other deities received only the fifth of certain things. See, respecting these tenths, Book III. 6, 12, 14, of the present work.

votive offerings to Minerva were placed in the different parts of the great temple of the divine virgin, in the Proneium, the Hecatompedus, and the Parthenon. No votive offering is mentioned as having been kept, in the more ancient times before Euclid, in the cell attached to the back part of the temple (*ὀπισθόδομος*). The many inscriptions relating to this matter, give us very definite information concerning it.<sup>1</sup> These treasures of the temple of Minerva, including the money, were kept by the treasurers of Minerva, or of the goddess, also called treasurers of the sacred things of Minerva, or of the goddess (*ταμίαι τῆς θεοῦ*, or *τῶν τῆς θεοῦ*, *ταμίαι τῶν ἱερῶν χορημάτων τῆς Ἀθηναίας*, *ταμίαι τῶν ἱερῶν χορημάτων τῆς θεοῦ*). The first mention of this board of officers in Herodotus<sup>2</sup> relates to the time of the battle of Salamis. It is further mentioned, and indeed as an independent board of officers, in the documents relating to the delivery of the treasure by each board to its successors, from the time of the consecration of the great temple in the citadel, with the exception of a few years, the documents respecting which fail, until Olymp. 93, 3 (B. C. 406). It is also mentioned in numerous accounts belonging to the period before Euclid, later in a law recited in Demosthenes,<sup>3</sup> which without doubt descended from an earlier period, in an inscription of the date Olymp. 98, 4 (B. C. 385),<sup>4</sup> in a passage of Æschines<sup>5</sup> relative to Olymp. 104, 4 (B. C. 361), in a decree of the people of the date Olymp. 113, 4 (B. C. 325),<sup>6</sup> in another probably of the date Olymp. 120, 1 (B. C. 300),<sup>7</sup> and in other documents. So, likewise, every temple had its particular treasurers, who, together with its superintendents (*ἐπιστάται*), and sacrificers (*ἱεροποιοί*), had the money of the same under their care.<sup>8</sup>

But about the middle of the ninetieth Olympiad (B. C. 419–18)

<sup>1</sup> Beilagen, No. X., XII.—XIV. Böckh, St. d. Ath. Vol. II. Respecting the different parts of the great temple, see C. I. Gr. Vol. I. p. 176 sqq. Comp. Book III. 20, of the present work.

<sup>2</sup> VIII. 51, *ταμίαι τοῦ ἱεροῦ*.

<sup>3</sup> Ag. Macart. p. 1075, 2.

<sup>4</sup> Beilage, No. XIII. Böckh, St. d. Ath. Vol. II.

<sup>5</sup> Ag. Timarch. p. 127.

<sup>6</sup> See the Securkunden, No. XIV. p. 465.

<sup>7</sup> Ephem. Archæol. No. 223, under the Archon. Hegemachus. In lines three and fourteen it seems, namely, that *Ἡγεμάρχον* should be read,

<sup>8</sup> Reil III. § 7, ut sup.

these several treasurers of the temples, with the exception of those of the temple of Minerva, were all united in a single board called the "Treasurers of the Gods, or of the other Deities (*ταμίαι τῶν θεῶν*, or *τῶν ἄλλων θεῶν*)." Their appointment was made under the same regulations as that of the treasurers of Minerva. The treasures of which they had the charge, were also to be deposited in the citadel (*ἐν πόλει*), and indeed in the cell attached to the back part of the great temple, and were there to be superintended by them.<sup>1</sup> An additional<sup>2</sup> regulation was also made that the treasure of Minerva should be kept on the right side, that of the other deities on the left side, of the cell attached to the back part of the temple. This refers particularly to money, since the votive offerings of Minerva were constantly kept in the other parts of the temple, and even after the time of Euclid but few votive offerings were in the cell attached to the back part of the same. All the sacred moneys, therefore, were from that date in the citadel. So that when after this period the treasurers of the sacred money in the citadel are mentioned, as in Andocides,<sup>3</sup> for example, it cannot be determined, without more definite indication, which are meant. But as the treasurers of the goddess, and the treasurers of the other deities, were, according to their original institution, entirely different officers, so they remained in later times, for the most part, separated. This is proved by the mention of the treasurers of the goddess by themselves, and the contrasting of them with the treasurers of the other deities in Demosthenes.<sup>4</sup> Nevertheless we find that both were united for a time as one board of officers. After the period of the anarchy, since there were no more tributes received, the business of the treasurers of the goddess was much less than before that period. It is, therefore, probable that from the archonship of Euclid, that

<sup>1</sup> Beil. III. § 6, id.

<sup>2</sup> Beil. IV. id.

<sup>3</sup> Concerning the Mysteries, p. 65. In this passage the word *προϋβάλλοντο* is not a suitable expression to be applied to the office of treasurer, for which persons were not nominated as candidates, but it is inaccurately placed in connection with it, so that *εἶων με λαχεῖν ταμίαν* must be supplied in the mind.

<sup>4</sup> Ag. Timocr. p. 743, 1, *οἱ ταμίαι, εφ' ὧν ὁ Ὀπισθόδομος ἐνεπρήσθη, καὶ οἱ τῶν τῆς θεοῦ, καὶ οἱ τῶν ἄλλων θεῶν*. The words of the decree of the people in Andocides, concerning the Mysteries, p. 36, *τοὺς ταμίας τῆς θεοῦ καὶ τῶν ἄλλων θεῶν*, are an inaccurate connection of both, though different offices.

is, from Olymp. 92, 2 (B. C. 411), both treasurers' offices, that of the goddess and that of the other deities, were united in the same persons. This union of the two offices appears in an inscription, which I have referred, with the highest probability, to the treasurers of Olymp. 94, 4 (B. C. 401), and 95, 1 (B. C. 400),<sup>1</sup> and in another which relates to the treasurers from Olymp. 95, 2 to 95, 4 (B. C. 399 to 397).<sup>2</sup> In both inscriptions they are called treasurers of the goddess and of the other deities, (*ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς καὶ τῶν ἄλλων θεῶν*), and are in all only ten in number, while originally the number of the treasurers of the goddess Minerva alone was ten, and consequently, also, that of the treasurers of the other deities introduced on their model. They delivered to each other successively the treasures of Minerva, and of the other deities, namely, of the Brauronian Diana, for example. But even before this union of the two offices, some articles belonging to the other deities, as, for example, one belonging to Jupiter Polieus, and another belonging to Hercules in Eliæus, were kept by the treasurers of the goddess in the Hecatompedus and Parthenon.<sup>3</sup> During the union of these offices we find that there were votive offerings, in the Opisthodomus also,<sup>4</sup> which did not occur before that period. This union did not continue long. For it cannot be doubted that already in Olymp. 98, 4 (B. C. 385), the treasurers of the goddess were again a separate board of officers, and ten in number,<sup>5</sup> and consequently the treasurers of the other deities must have at that time been disconnected from them.

Respecting the treasurers of the goddess, Harpocraton and Pollux from Aristotle give us more particular information.<sup>6</sup> They were, namely, ten in number, as the inscriptions inform us, one from each tribe, appointed by lot, as is also proved by existing documents,<sup>7</sup> but only, however, from the class of the pentakosiomedimni. After this class was abolished<sup>8</sup> the possession

<sup>1</sup> Beilage XIV. 11, Böckh, St. d. Athen. Vol. II.

<sup>2</sup> Beil. No. XII. id.

<sup>3</sup> Beil. X. Hekatomp. h, Parthen. dd, B. St. d. A. Vol. II.

<sup>4</sup> Beil. XII. id.

<sup>5</sup> On the authority of inscription XIII. (Superscription). In this that number of names is required to fill the hiatus.

<sup>6</sup> Harpocr. on the word *ταμίαι*; Photius; Suidas; also Philemon Lex. Technol. and Lex. Seg. p. 306; Pollux, VIII. 97.

<sup>7</sup> Beilage III. § 6, B. St. d. Ath. Vol. II.

<sup>8</sup> See Book IV. 5, of the present work.



of property, assessed to a certain definite amount, was in some other way rendered one of the necessary qualifications for the office. They received from their predecessors, and delivered to their successors, the treasures, money, and articles of value, namely, the statue of Minerva, the images of the goddess of Victory, and all other ornaments, in the presence of the council,<sup>1</sup> in the same manner as the apodectæ received, and delivered the public property appertaining to their office. They received the fines, which were assigned to the goddess, for safe-keeping. Under their care were all the sacred valuables of the temple of Minerva in the citadel, namely, according to Demosthenes against Timocratus,<sup>2</sup> the prize booty or trophies of the state (*τὰ ἀριστεία τῆς πόλεως*), Xerxes's silver-footed chair, the golden cimeter of Mardonius, and a vast number of splendid articles in the great temple in the citadel. The term of office was annual. At the end of each year they delivered to their successors what they had received from their predecessors, and what had since been added (*τὰ ἐπέτεια*). Before the time of Euclid the accounts of their proceedings for each year were stated in connection, generally, every four years, according to a financial or accounting period running from the time of the celebration of the great Panathanæa to the recurrence of the same festival. And indeed not only the accounts of the valuables of the temple received and delivered by them were thus stated every four years without exception, but also those of the money paid out of the treasure; at least partially.<sup>3</sup> Similar were the duties of the treasurers of the other deities, and the particulars relating to their office, since the latter were introduced entirely on the model of the treasurers of the goddess. All the articles, moreover, hitherto named, which were kept by both the boards of treasurers, were sacred (*ιερά*).

But who had the care of the money in the treasury in the citadel, which was not sacred (*ὅσα χοίματα*)? According to an account of Suidas,<sup>4</sup> by no means to be despised, those treasurers chosen by lot, who had the care of the statue of Minerva, evi-

<sup>1</sup> Respecting their presence compare Beilage III. § 7, in reference to the treasurers of the gods.

<sup>2</sup> P. 741. Comp. Sigon. R. A. IV. 3.

<sup>3</sup> See Book II. 8, of the present work.

<sup>4</sup> In the first article on the word *ταμίαι*.

dently, therefore, the treasurers of the goddess, also kept the public money.<sup>1</sup> That money, namely, which in accordance with a decree of the people was brought into the public treasury, to which the apodectæ assigned it, was considered as offered to Minerva;<sup>2</sup> although it could not be viewed as her immediate property.<sup>3</sup> It, consequently, had to be kept by the treasurers of the goddess. They paid it out again, as the accounts show, when authorized by a decree of the people. The treasurers of the goddess, therefore, were not merely treasurers of the temple in the narrower sense, but were at the same time keepers of the public treasure. They were also sometimes called simply treasurers (*ταμίαι*).<sup>4</sup> Thus Androtion was called treasurer, without further adjunct;<sup>5</sup> although he could have been nothing else than the treasurer of the goddess: since he had the care of the golden garlands, the votive offerings, and the vessels and other articles carried in the public processions, and which belonged to Minerva, and of the other valuables kept in her temple, and had persuaded the people to cause them to be altered. The opinion that Androtion must have been chosen by cheirotonia of the people, as would be inferred from the representation of Petit,<sup>6</sup> is founded barely upon a misconception of Ulpian.<sup>7</sup>

<sup>1</sup> The erroneous opinion, that in the earlier periods of the Athenian State, namely, until towards the commencement of the Peloponnesian war, the epistatæ of the prytaneis had the care of the public treasure, was founded upon a misunderstanding, as I have already shown in a treatise upon two Attic documents relating to accounts (Schriften der Akad. of the year 1846, p. 5, of the separate impression).

<sup>2</sup> According to Beilage III. § 3, B. St. d. Ath. Vol. II. *ἐπειδὴ τῇ Ἀθηναίῳ τὰ τρις χίλια τάλαντα ἀνενήνεγκται ἐς πόλιν ἃ ἐψήφιστο.*

<sup>3</sup> For a more particular account, see Book III. 20, of the present work.

<sup>4</sup> Comp. Harpocr. Suid. etc. Here may be cited also Lysias *ὑπὲρ τοῦ στρατιώτου*, p. 323, 324.

<sup>5</sup> Demosth. ag. Androt. p. 615, 17.

<sup>6</sup> Leg. Att. III. 2, 33.

<sup>7</sup> I remark by the way that in Demosth. π. παραπρ. p. 435, 8, it is said that Ctesiphon was prosecuted in a *γραφὴ ἱερῶν χρημάτων*, because he had deposited seven minas for three days in a money-changer's office (*ἐπὶ τὴν τράπεζαν*). Doubtless Ctesiphon was treasurer of the sacred money, and employed it to his own advantage. That one instance of this has been found, Ulpian also remarks in his commentary upon the speech against Timocrates.

## CHAPTER VI.

TREASURER OF THE PUBLIC REVENUES, OR SUPERINTENDENT OF THE ADMINISTRATION OF THE FINANCES. SUBORDINATE TREASURIES FOR THE ADMINISTRATION OF THE SAME.

ENTIRELY different from the preceding offices was that of the *treasurer or superintendent of the public revenues* (ταμίης or ἐπιμελητὴς τῆς κοινῆς προσόδου), the most important of all the financial offices. It was conferred not by lot, but by cheirotonia of the people. Aristides occupied this office, having been elected by cheirotonia.<sup>1</sup> Lycurgus was expressly called, in the decree of the people, by which marks of honor were ordered to be conferred upon him after his death,<sup>2</sup> treasurer of the public revenues (ταμίης τῆς κοινῆς προσόδου), and immediately afterwards it is remarked, that he was chosen by the people. Even in the Lives of the Ten Orators<sup>3</sup> a law is mentioned, in which this treasurer is called the treasurer chosen by cheirotonia for the public revenues (ὁ χειροτονηθεὶς ἐπὶ τὰ δημόσια χρήματα). And what Ulpian remarks in the wrong place, that the treasurer must have been chosen by cheirotonia, is true only of this one. This was, moreover, not an annual office, as those of the treasurers in the citadel, but was held four years; namely, through a penteteris. However distrustful and envious democracy may be, it was not in this case so blinded, as to make all the offices of government annual, or to confer them all by lot. It was perceived that a deviation must be made from these genuine democratic customs, where skill and experience were necessary for ruling.<sup>4</sup> It is expressly related of Lycurgus that he performed the duties of this fiscal office through three penteterides,<sup>5</sup> and Diodorus says, that he superintended the

<sup>1</sup> Plutarch, Aristid. 4. In this passage he is called ἐπιμελητὴς τῶν κοινῶν προσόδων.

<sup>2</sup> Decree III. in the Appendix to the Lives of the Ten Orators. The author of the Lives says more briefly merely ταμίης.

<sup>3</sup> In Lycurg. Petit. ut sup. perplexes this whole subject in a most distasteful manner. He deserves no refutation.

<sup>4</sup> Aristot. Polit. VI. 1, 8, Schn.

<sup>5</sup> Lives of the Ten Orators (from the third decree of the people), and Photius from the same.

management of the public revenues during twelve years.<sup>1</sup> In the more ancient periods, as the example of Aristides shows, the same person could be repeatedly elected to this office. But after the first penteteris during which Lycurgus held it, the jealousy of his rivals procured the passage of a law, by which it was no longer allowed for one individual to hold this office during more than five years (*μὴ πλείω πέντε ἐτῶν διέπειν τὸν χειροτονηθέντα ἐπὶ τὰ δημόσια χρήματα*).<sup>2</sup> For this reason Lycurgus in the two following periods managed the business of this office in the names of other persons.<sup>3</sup> The mention of five years might mislead one to believe, that the term of the office was five years. But the expression must be considered as inexact, and only a penteris was mentioned in the law, not five years. A penteris was according to ancient usage always only four years. The usage of some later authors is not here taken into consideration. Undoubtedly there were many financial periods of four years. For example, the amount of the tributes was settled, as a general rule, every four years. Hence the term of this office was for the same period. The term of other offices in Athens was also for four years, since it was accommodated to the recurrence of the period for celebrating the great Panathenæa; that of none to my knowledge for five years. I have ascertained with probability, and communicated in another place,<sup>4</sup> the time at which the term of this office of treasurer commenced. It was the year in which the great Panathenæa were celebrated, the third year of each Olympiad, about the commencement of winter.

However eminent may have been the superintendent of the public revenues, yet he had no unlimited power to make financial arrangements, but was, as every other officer, bound to be guided by the laws and the decrees of the people. Nor was he, by any means, the person from whom all matters of finance orig-

<sup>1</sup> Diodor. XVI. 88. δώδεκα ἔτη τὰς προσόδους τῆς πόλεως διοικήσας.

<sup>2</sup> Lives of the Ten Orators, p. 251, Vol. VI. of the Tüb. ed. The words διὰ τὸ φθᾶσαι νόμον εἰσανεγκεῖν, μὴ πλείω, etc., would seem to indicate that Lycurgus himself had introduced the law. But this is hard to believe. The subject of the verb φθᾶσαι, has been left out, whether it was τὸν, or some definite name.

<sup>3</sup> Lives of the Ten Orators, the same passage as above. Respecting this matter, and respecting the point whether the term of the treasurer's office which Lycurgus occupied, was four or five years, compare, besides, Book III. 19, of the present work.

<sup>4</sup> In Beclage VIII. § 2, B. St. d. Ath. Vol. II.



inated; but every one who had the right to speak in the assemblies of the people, and in the council, every orator and deimagogue, could offer propositions relating to that subject.<sup>1</sup> And although the superintendent of the public revenues was, from the nature of the case, especially qualified to devise the ways and means (*ἐνθεῖν πόρους*), which Lycurgus also did,<sup>2</sup> yet perhaps there was, in the more ancient periods of the state, also a separate board of officers, whose duty it was to devise the manner in which the necessary revenues should be provided. The author of the Rhetorical Dictionary<sup>3</sup> asserts, that the poristæ (*πορισταί*) were such a board. Antiphon<sup>4</sup> connects these with the poletæ and practores. It is, in the main, extremely difficult to determine the compass of the duties and of the competence of the superintendent of the public revenues. He was not an officer who, like the apodectæ, merely received the public money, without possessing a permanent treasury, since he is expressly, and in an official document, called treasurer; nor was he, like the treasurers in the citadel, only a keeper of money, which, as a general rule, was not paid out. The example of Lycurgus shows, that all the money received and disbursed passed through his hands. Consequently he was the general receiver and superintendent of all the treasuries from which money was disbursed, or the general paymaster, who received all the money paid to the apodectæ and appropriated by them for disbursement, and supplied the several treasuries with the same. The proceeds of the property tax, which, as money designed for military purposes, were, without doubt, immediately delivered to the treasury appropriated for those purposes, must be excepted: and originally

<sup>1</sup> I remark, by the way, that Gillies (Discourse upon the History, Manners, and Character of the Greeks) makes the demagogues Eucrates a wool-dealer, Lysacles a dealer in sheep, Hyperbolus a lamp-maker, and Cleon a tanner, treasurers through a false inference, it seems, from Aristoph. Knights, 101 sqq. For their activity, even when it laid hold of matters of finance, may be explained from their character as demagogues.

<sup>2</sup> See Book III. 19, of the present work.

<sup>3</sup> Lex. Seg. p. 294, 19. Πορισταί : πορισταί εἰσαν ἀρχή τις Ἀθήνησιν, ἥτις πόρους ἐξίτηι· ἀπὸ τούτου γὰρ καὶ προσηγορεύθησαν.

<sup>4</sup> Π. τοῦ χορευτ. p. 791, near the bottom. Demosth. (Philipp. I. p. 49, 17) connects τῶν χρημάτων ταμίαι καὶ πορισταί; but he uses the word in such a manner, that no one can found upon it the supposition, that it was in his time the name of a board of public officers.

also the tributes, so long as they were managed independently of the finances of Athens by the Hellenotamiæ; perhaps also afterwards, until that office was abolished. He paid the expenses which were necessary for the administration of government (*διοικήσεις*), that is, in time of peace, every regular expenditure. The proceeds of all the taxes and customs were at first assigned to him, together with certain after-payments.<sup>1</sup> The keeping and the disbursement of them were, therefore, certainly under his charge. Since the payment of the expenses of the courts clearly belongs to the administration of government, the pay of the judges, although there was a separate fund for that purpose, must also, with the exception of particular cases in which it was to be paid by the treasurers of the goddess, have come from him.<sup>2</sup> Moreover, he must have had a general superintendence with respect to the raising of all these revenues. It is only by virtue of this that Lycurgus could forbid the farmer of the taxes to demand from Xenocrates the sum required for the protection of the state;<sup>3</sup> by virtue of this, Aristides inform against embezzlement and breach of trust.<sup>4</sup> Only from this general superintendence may be explained how Lycurgus could increase the finances in every branch, purchase many costly articles, and have so large a surplus that with it he built large edifices and fleets.<sup>5</sup>

In short, the superintendent of the public revenues had alone, among all the public officers, the entire oversight of the revenues and expenditures of the state, and could, therefore, judge the most surely respecting the possibility of increasing the former, and diminishing the latter, and suggest wise financial measures to the council and people. He was, though in different circumstances, what the minister of finance (or secretary of the treasury) is in modern states. Valesus<sup>6</sup> refers, with probability, to this treasurer the passage of Aristophanes, according

<sup>1</sup> Demosth. ag. Timocr. p. 731, 4.

<sup>2</sup> See a subsequent page in the present chapter.

<sup>3</sup> Lives of the Ten Orators, in the Life of Lycurgus.

<sup>4</sup> Plutarch, Aristid. as above cited.

<sup>5</sup> Lives of the Ten Orators, and the III. decree of the people in the same.

<sup>6</sup> In Harpocr. on the word *ἀποδέκται*. The passage of Aristoph. is Knights, 943. In it the scholiast speaks incorrectly of a care and management of the *prytaneia* merely.

to which the treasurer had the keeping of the great seal of the people, although the treasurers in the citadel had also their seals for the purpose of sealing the treasury apartments.<sup>1</sup>

As a disbursing officer the superintendent of the public revenues was called also superintendent of the administration (*ὁ ἐπὶ τῆς διοικήσεως*, or *ὁ ἐπὶ τῇ διοίκησει*).<sup>2</sup> The office was the same, however. Æschines<sup>3</sup> ascribes to Aphobetus, who had been chosen for the purpose of administering the general government of the state (*ἐπὶ τὴν κοινὴν διοίκησιν*), at the same time a well-conducted superintendence of the public revenues (*καλῶς καὶ δικαίως τῶν ὑμετέρων προσόδων ἐπιμελεῖσθαι*). To Lycurgus, as superintendent of the latter, the administration of the finances is not only ascribed by the author of the Lives of the Ten Orators, and by the author of the letters attributed to Demosthenes,<sup>4</sup> but he certainly had it, since he annually disbursed, distributed,<sup>5</sup> and kept an account of the entire public revenue. Finally, Pollux<sup>6</sup> sufficiently shows the identity of these nominally different offices, when he calls that for the administration (*τον ἐπὶ τῆς διοικήσεως*) an office, the occupant of which was elected, not selected by lot, for receiving and disbursing the public revenues (*ἐπὶ τῶν προσιόντων καὶ ἀναλίσκομένων*). In that capacity it was his duty to pay all the expenditures for the police, for public buildings, for the procuring of vessels and articles for public processions, for state sacrifices, and for the celebration of festivals; because these also were expenditures of the public administration, namely, of that which related to sacred matters (*ἱερὰ διοίσεις*)<sup>7</sup> in contradistinction to that which was secular. Thus Lycurgus, partly by vir-

<sup>1</sup> Comp. Beilage III. § 6, B, St. d. Ath. Vol. II.

<sup>2</sup> This appellation is often found, as what follows shows, and the passages may be easily gathered from the citations therein contained. I will add only the title of a speech of Dinarchus *κατὰ Διονυσίου τοῦ ἐπὶ τῇ διοίκησει* in Dionys. Halic. p. 116, 29, Sylb.

<sup>3</sup> Περὶ παραπρεσβ. p. 315.

<sup>4</sup> Letter III.

<sup>5</sup> Stratoles used this expression in the III. decree in the Lives of the Ten Orators: καὶ διανείμας ἐκ τῆς κοινῆς προσόδου μύρια καὶ ὀκτακίχλια καὶ ἑνακόσια τάλαντα.

<sup>6</sup> VIII. 113.

<sup>7</sup> Xenoph. Hell. VI. 1, 2. Comp. Demosth. against Timocr. p. 730, 24; p. 731, 1. Considered in this light the *θεωρικὸν* might be accounted as belonging to the *διοίσεις*, as is done by Hyperides (ag. Demosth. p. 13, of my edition, by Sauppe in Schneidewin's Philologus 3, Jahrg. p. 617).

tue of this office, partly as an officer specially chosen for this purpose (*ἐπιστάτης*), superintended the building of docks, gymnasia, palæstræ, of the theatre, of the Odeum, of the arsenal, and the like, and the procuring of the sacred vessels and other articles.<sup>1</sup> Habron, the son of Lycurgus, is mentioned as *ὁ ἐπὶ τῇ διοικήσει*, together with the poletæ, and two others, — doubtless the overseers of the work (*ἐπιστάται*), — in relation to the making of the contract for the building of the walls of the city.<sup>2</sup> The procuring of ships, arms, and missive weapons, which was ordered in time of peace, belonged also to his sphere of duties, as a part of the administration of the government; and this, also, Lycurgus had under his charge. Finally, he had to provide for the payment of the wages of all persons in the employment of the state in time of peace, and of the other expenses required for the maintenance of the internal prosperity of the commonwealth. There were, however, particular treasuries constituted for special departments of the administration. These were superintended and maintained by the treasurer of the public revenues. But the theoricon, and the treasury for the military department, were certainly independent of him. Into the one or the other, he delivered, as will be shown, his surplus. Its further application did not concern him. Indeed, for a time, the treasurers of the theoricon even had a great part of the administration of the government in their own hands, since in them many boards of officers were united.

Two occurrences, in which the superintendent of the public revenues might seem to have been also the treasurer of the theoricon, may be so explained as to remove this appearance. Lycurgus procured the condemnation of Diphilus, who had committed a crime against the state with respect to its property, namely, the mines, and distributed the confiscated property after the manner of the theoricon, among the people.<sup>3</sup> But this case proves nothing, because it was an extraordinary measure, and not in the ordinary course of things. At most it might be in-

<sup>1</sup> Lives of the Ten Orators, and other works (see Book III. 19, of the present work). According to this authority he was *ἐπιστάτης* for the building of the theatre.

<sup>2</sup> Otr. Muller de munim. Ath. p. 34, line 36. Comp. on account of the reading, Ussing, Zeitschrift f. Alt. Wiss. 1848, No. 62.

<sup>3</sup> Lives of the Ten Orators.



ferred, what is without that understood of course, that the care of the mines also belonged to the department of the superintendent of the public revenues. Besides, Lycurgus might have appeared as accuser against Diphilus, and as a popular speaker, or demagogue, have made that flagitious proposition for the distribution of the money among the people. While Demades had the charge of the revenues of the state, says Plutarch,<sup>1</sup> the people demanded money of him, in order to send a fleet to the aid of those who had revolted from Alexander. Demades diverted the people from their purpose by answering them: "You have money; for I have taken care that you shall receive each a half mina for the Choës; but if you will use it now, spend your own money then." From the expression employed by the author, one might, at the first sight, consider Demades as the superintendent of the public revenues. But since Demades appears entirely in the character of a superintendent of the theoricon, who distributed money among the people for the celebration of the public festivals, and Plutarch's expression, that he had the revenues of the state under his care, does not necessarily lead to the conclusion that he was treasurer of the administration, I do not think that I may venture to assume that he occupied the latter office. Moreover, so light-minded, and extravagantly lavish a man, could not seem to have been qualified for it. He was much better adapted to the office of superintendent of the theoricon. The more light-minded that officer was, so much the more money could the Athenian people promise themselves from his official administration. Demades had taken care that the treasury of the theoricon should be well filled. But this was, in time of war, always claimed by well-disposed citizens for military preparations; and the contest has become famous, which arose in Athens upon the question, whether the theoricon should be converted into a military fund. Bearing in mind the history of this transaction, one will easily be convinced that Demades had not the care and management of the public revenues in general, but of the theoricon.

In the earlier periods and until the last years of Demosthenes

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<sup>1</sup> Præc. Reip. Ger. 25. ὅτε τὰς προσόδους εἶχεν ἐν αὐτῷ τῆς πόλεως. The transaction occurred in Olymp. 112, 2 (B. C. 330). Comp. Beil. VIII. B, St. d. Ath. Vol. II.

we find, moreover, but one superintendent of the administration. But in no branch of the affairs of state are changes in the arrangements respecting the officers more to be expected, than in the financial department. And it is certain, that there existed for a time a board of superintendents of the administration composed of several persons. It is difficult, however, to determine the period with exactness. In a decree passed in the time of Demetrius Poliorcetes in behalf of Herodorus of Lampsacus,<sup>1</sup> we find one superintendent (τὸν ἐπὶ τῇ διοικήσει) mentioned, who had to pay the price required for engraving the decrees of the people in stone. The cost of erecting a statue, it is stated in the same decree, was paid by a magistrate, whose official title cannot with certainty be determined, together with the trittarchæ of the tribes; perhaps partially from the revenues of the tribes. I agree in opinion with Clarisse, that this decree seems to be of a date but little prior to Olymp. 123, 3 (B. C. 286), and it may be assumed, therefore, that until about Olymp. 123, 3 (B. C. 286), the more ancient arrangement continued. On the contrary, we find in the decrees in honor of the kings Spartocus and Audoleon,<sup>2</sup> which were probably of the date Olymp. 123, 3, οἱ ἐπὶ τῇ διοικήσει mentioned in the plural, and these are therein represented to have paid not only for the engraving of these decrees of the people, but also what was requisite for the garlands, and statues which had been decreed. About this period, therefore, the change must have been made. Of another decree of the people,<sup>3</sup> in which these superintendents are mentioned also in the plural, we know only that it belongs to the period, in which the Athenians were divided into twelve tribes, and it cor-

<sup>1</sup> Ephem. Archæol. No. 41; Clarisse, Inser. Gr. par. p. 7, sqq. This inscription, of which I possess a very good copy made by Ross, is written strictly στοιχηδόν. The conclusion, according to a reliable completion, is as follows: [ἀ]ναγράψαι δὲ τὸδε τὸ ψῆφισμα τὸν γραμματεῖα τὸν κατὰ πρυτανεῖαν [εἰαν ἐν στήλῃ] λυθίνῃ καὶ στήσαι ἐν [ἀκροπόλει· εἰς] δὲ τὴν ἀναγραφὴν τῆς [σ]τήλης δοῦναι τὸ ἐπὶ τῇ διοικήσει τὸ ἀνάλωμα.] The N of the TON is retained in the Ephem. The magistrate whose official title cannot with certainty be determined, ([τὸν]. . . . ην), and the trittarchæ, are mentioned in the forty-fourth line. There is nothing wanting below the above. Clarisse's opinion is, that the inscription is of the date Olymp. 123, 2 (B. C. 287), and I can find no reason to disagree with him.

<sup>2</sup> More definite reference to these is given in Book I. 15 of the present work.

<sup>3</sup> C. I. Gr. N. 112. The article τ[ὸς] is confidently completed in accordance with the length of the hiatus.

responds very well with the period immediately following Olymp. 123, 3 (B. C. 286). According to it they were directed to pay for the preparing of a garland, and the publishing of its presentation.<sup>1</sup> The same is the date of a fragment,<sup>2</sup> in which the payment of the cost of engraving a decree in honor of some individual, and of exposing it to public view, is assigned to the military paymaster, and to the superintendents of the administration (in the plural) together. But the decree in honor of Zeno the stoic,<sup>3</sup> which is not of an earlier date than Olymp. 128 (B. C. 268), mentions again only one superintendent of the administration (*τὸν ἐπὶ τῆς διοικήσεως*). In it he is represented to have paid only for the engraving of the decree. It is not mentioned, who was directed to pay for the garland which was decreed, and for the erection of a sepulchral monument.

According to the foregoing account a great part of the revenues of the state had to be delivered to this officer. His treasury was a sort of general treasury of the administration. It may, it is true, be conceived, that this officer may have had no treasury at all, but that he may have caused the moneys appropriated for the administration of the government to be immediately assigned by the apodectæ to the treasuries of the several branches of the administration. But this supposition is not tenable, partly from what has been said upon the office in general, partly because payments are expressly directed to be made by the superintendent of the administration. The only tenable opinion is, that the superintendent of the administration had a general treasury of the administration under his charge, and of this there were many separate branches. But in certain periods one class of expenditures might be assigned to the general treasury of the administration, in others to a special treasury. This latter, namely, was done in respect to the costs of inscribing the decrees of the people, of which, for a reason easily conceived, we have the most information. Moreover, it cannot be determined,

<sup>1</sup> So C. I. Gr. No. 113. In this, however, the plurality of the persons cannot be proved, although I am of opinion that such was the fact.

<sup>2</sup> Ephem. Archæol. No. 399. Comp. below the paragraph upon the *ταμίης στρατιωτικῶν*.

<sup>3</sup> In Diog. Laert. L. VII. 11. This decree was, in my opinion, certainly not written until after the death of Zeno; although there is something in it, which seems to contradict this: a difficulty which I leave to others to solve.

whether each of the treasuries known to have existed continued during all the periods of the state, since at the present time also such arrangements are very changeable.

Finally, it cannot be expected that we should give a complete account of so complicated an organization as that of the treasury department, from so few and casually imparted notices. We know, however, of several particular treasuries pertaining to the province of the administration. The council of five hundred incurred many expenses, namely, for sacrifices. Hence we find, at least during the period of the twelve tribes, *a treasurer of the council*,<sup>1</sup> chosen by them out of their own number. He paid the sacrificers (*ἱεροποιοί*) of the council, and of course must have made the payments for the supply of all their other wants. One specification of the expenditures of the council, is that of expenditures in conformity with psephismata.<sup>2</sup> As in the similar case of the treasurer of the people, these expenditures were defrayed by the treasurer of the council. Not unfrequently is the *treasurer of the people* (*ταμίης τοῦ δήμου*) mentioned. He was a different officer from the superintendent of the administration, as may now with certainty be concluded. For both are named in entirely different relations, in one and the same memorial, the inscription respecting the building of the walls of the city,<sup>3</sup>

<sup>1</sup> C. I. Gr. No. 115. Such an officer also seems to be meant in No. 116, and in the inscription of a late date, Add. No. 196 b. The treasurer mentioned in the latter was accidentally prytanis. This is to be observed for the purpose of correcting my expression in p. 907 a.

<sup>2</sup> Beilage XIV. 12, h, B. St. d. Ath. Vol. II. In this the completion, according to what immediately follows [*ἐκ τῶν κατὰ ψηφίσματα ἀναλίσκομένων τῇ βουλῇ*] is undoubtedly correct.

<sup>3</sup> In Müller de Munimm. Ath. p. 34, lines 33 and 36. The *ταμίης τοῦ δήμου* is also often mentioned in inscriptions upon the occasion of assigning the costs of inscribing the decrees of the people to be defrayed from the moneys designated by the specification, *τῶν κατὰ ψηφίσματα ἀναλίσκομένων τῷ δήμῳ*, Ephem. Archæol. No. 407, about Olymp. 105, 4 (B. C. 357), since the archon Agathocles is mentioned in it; Ephem. Archæol. No. 401 (Curtius, Inscr. Att. p. 13), before Olymp. 109, 3 (B. C. 342); Ephem. Archæol. No. 371 of the date Olym. 114, 2 (B. C. 323); decree of the people in behalf of Lycurgus in the Lives of the Ten Orators, No. III. of the date Olymp. 118, 2 (B. C. 307), (see Book I. 21); decree of the Attic cleruchian state on the island of Salamis; the political regulations of which state were the same as those of the Athenians, C. I. Gr. No. 108, of a date not earlier than Olym. 137 (B. C. 232). (See Vol. I. p. 900 the Addenda; and for more precise information, Schorn Gesch. Griechenlands seit der Entstehung des Ätolischen, und Achäischen Bundes, p. 93); C. I. Gr. No. 92, Ephem. Archæol. No. 408, Ephem. Archæol. No. 950, Ephem.



about the time of Demosthenes. One specification of his disbursements was that of those which were made "*out of what was expended by the people in conformity with their decrees* (*ἐκ τῶν κατὰ ψηφίσματα ἀναλίσκομένων τῷ δήμῳ*, or *ἐκ τῶν εἰς τὰ κατὰ ψηφίσματα ἀναλίσκομένων τῷ δήμῳ*)."<sup>1</sup> This was evidently contrasted with the *legally* established appropriations mentioned elsewhere,<sup>2</sup> which formed one or several other specifications. That under the former specification not merely the payment of the costs for inscribing the decrees of the people were comprised, is a matter of course, as the words themselves show. It is established, moreover, by examples, that also the expenditures requisite for carrying what was decreed into effect, as, for example, for procuring a garland, and in the supplying of money for travelling expenses for an embassy which had been decreed, were assigned to it.<sup>3</sup> Another formula is found in a decree in honor of Straton, king of Sidon,<sup>4</sup> according to which, the treasurers were to pay for the inscribing of the decree out of the ten talents. The date of this was about Olymp. 101-103 (B. C. 376-368). I have formerly

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Archæol. No. 32, which with certainty may be completed: *εἰς δὲ τὴν ἀναγραφὴν τῆς || στήλης δοῦναι τὸν ταμίαν [τοῦ δήμου || ΔΔΔ δραχμῶν ἐκ τῶν κατὰ ψηφίσματα ἀναλίσκομένων τῷ δήμῳ*. The same officer is mentioned also in other partly unprinted inscriptions (see, among others, the one quoted in the next note). In the inscription Ephem. Archæol. No. 402, the payment for recording the decree is assigned to the *ταμίας* merely. The words *τοῦ δήμου* are probably only accidentally omitted.

<sup>1</sup> The first formula without *εἰς τὰ* is found in C. I. Gr. No. 92; Eph. Archæol. No. 32, No. 371, No. 401 (Curtius Inscr. Att. p. 13), No. 419, No. 950, and in a, so far as I know, unprinted decree relating to a proxenia. The conclusion of this last is with certainty to be completed as follows: *εἰς δὲ [τὴν ἀναγραφὴν τῆς] στήλης δοῦναι || τὸν ταμίαν τοῦ δήμου: ΔΔΔ: δ[ραχμῶν ἐκ τῶν κατὰ] ψηφίσματα ἀναλίσκομένων τῷ δήμῳ*. In Ephem. Archæol. No. 401, there is found, however, instead of *ἀναλίσκομένων*, *μερίζομένων*; a word which is but little different in signification. The other formula with *εἰς τὰ* was in the inscription respecting the building of the walls, as the length of the hiatus shows. It is found complete in C. I. Gr. No. 108; in Ephem. Archæol. No. 407, almost complete. Both formulas have the same signification. In the III. decree of the people, in the Appendix to the Lives of the Ten Orators, on the contrary, the formula *ἐκ τῶν εἰς τὰ ψ.* etc. is found. This would refer merely to the costs of the psephismata, not to the execution of the same. I am fully convinced that the above formula is to be corrected, and written *εἰς τὰ κατα ψ.*, etc., as I conjectured in C. I. Gr. No. 108. Moreover, there is found in these formulas sometimes *δοῦναι* or *δοῶν*, sometimes *μερίσαι*. Both have the same signification, as innumerable examples show.

<sup>2</sup> C. I. Gr. No. 84. Comp. Book II. 4, of the present work.

<sup>3</sup> C. I. Gr. No. 108; Ephem. Archæol. No. 407.

<sup>4</sup> C. I. Gr. No. 87. *ἐς δὲ τὴν ἀναγραφὴν τῆς στήλης δοῦναι τοὺς ταμίας τῷ γραμματεῖ τῆς βουλῆς ΔΔΔ δραχμῶν ἐκ τῶν δέκα ταλάντων*.

conjectured that these treasurers were the superintendents of the administration; but opposed to this opinion are the circumstances, that about this period there was not a board of superintendents of the administration, consisting of several persons; and that, if there were such a board, it could not be called merely the "treasurers," without some definite adjunct. The designating of the ten talents as the fund from which the payment was to be made, is evidently extraordinary. These ten talents were, doubtless, mentioned in the commencement of the decree, which has been lost, and had been, it is highly probable, presented to the Athenians by Straton. My conjecture is, that they were delivered to the treasurers of the citadel; that this fact also was mentioned in what preceded; that the treasurers, therefore, were the before named; and that the payment for the inscribing of the decree, contrary to the usual course, was directed to be made from the sum presented; and consequently by the treasurers of the citadel.

There were particular authorities appointed to superintend the building of the public edifices and structures, for example, the building of the walls of the city; to form streets and roads; build docks and ships; and to conduct the public sacrifices (*τειχοποιοί, ὁδοποιοί, ἐπιμεληταὶ τῶν νεωρῶν, τρηροποιοί, ἱεροποιοί*, etc.) Some of these were annually appointed, others were merely commissioners<sup>1</sup> for a shorter time. All of these had their cashiers, dependent upon the treasurers of the administration. That the superintendents of the sacrifices, and also the athlothesæ received money, is shown by the inscriptions.<sup>2</sup> If we find that the treasurers of the goddess paid sums of money to them, this can have been only an additional supply, and regularly their money must have come from the treasury of the administration,<sup>3</sup> except during periods in which the payment of the expenses of such festivals, as those in which they were employed, was assigned to the hellenotamiæ.<sup>4</sup> The treasurer of the money appropriated to ship-building (*ταμίης τῶν τρηροποιῶν*, or more correctly *τρηροποιούων*) is often mentioned,<sup>5</sup> as are

<sup>1</sup> Æsch. ag. Ctesiph. p. 425.

<sup>2</sup> See Beilage I. Pryt. 2; Beil. II. D, Böckh, St. d. Ath. Vol. II.

<sup>3</sup> Since it was for the *ἑρᾶ διοίκησις*, Demosth. ag. Timocr. p. 730, 24, p. 731, 1.

<sup>4</sup> Compare Beilage II. D, Böckh, St. d. Ath. Vol. II.

<sup>5</sup> Demosth. ag. Androt. p. 598; Securkunden in several passages, (see the "Einleitung," p. 59 sqq.).

also the treasurers of the money appropriated to the building of the walls of the city. Of the latter it is expressly remarked, that they received their money from the treasury of the administration.<sup>1</sup> There was also a treasurer of the tackling and rigging of the ships of war (*ταμίης χρημαστών*), and one for the dock or navy yards, (*ταμίης ἐς τὰ νεώρια*); provided these officers had money under their charge, and were not merely keepers of certain articles.<sup>2</sup> Beside other things, Demosthenes mentions among the subjects appertaining to the general administration, the payment of the compensation of the judges, of the compensation for attending the assemblies of the people, of that of the council, and of the wages of the cavalry.<sup>3</sup> Of course there were subordinate treasuries constituted for these purposes. The two treasurers, the one of the council, the other of the people, of whom we have already treated, paid the compensation of the council, and the compensation for attending the assemblies of the people, from the moneys designated by the specification "for the expenses according to the laws." The payment of the latter was made through the thesmothetæ.<sup>4</sup> The hellenotamiæ, during the Peloponnesian war, paid the cavalry the money for their maintenance out of moneys received by them from the public treasury.<sup>5</sup> For at that time many expenditures of the Athenian State, as, for example, for festivals, the greatest ornament of which was the cavalry, were paid out of the money belonging to the allied states. In the later periods, when the hellenotamiæ no longer existed, the payment of this expenditure was assigned to the superintendent of the administration. But whether a special treasury was constituted for that purpose, or the payment was made by the treasurer of the people, we know not. Since, finally, the officers and crews of the sacred triremes, at least of the paralus, and probably also of the Salaminian, and certainly of the Ammonian trireme, which was introduced later, received pay even in time of peace, the treasurers of the same were probably for the most part supplied with money by the superintendent of the administration. The office of the treasurer of the

<sup>1</sup> Ἐκ τῆς διοικήσεως. See Æschin. ag. Ctesiph. p. 425. Comp. p. 415.

<sup>2</sup> See the Seeurkunden, p. 58 seq.

<sup>3</sup> Ag. Timocr. p. 731, 1-5, and 21, 22.

<sup>4</sup> Book II. 14.

<sup>5</sup> Beilage I. Böckh, St. d. Ath. Vol. II.

paralus was an important office, because, beside what was required to be paid for this ship or its crew, money was remitted by the vessel, or was paid through its treasurer.<sup>1</sup> He was chosen by cheirotomia. The other treasurers of the sacred triremes were elected in the same manner. These treasurers, who were known also to Harpocration and Pollux, together with other grammarians, from Aristotle, delivered to the trierarch the money requisite for the expenses of the vessel,<sup>2</sup> so far as he was not obliged to pay them himself.

What we said of the compensation of the judges, namely, that a special treasury was constituted for this expense which belonged to the general administration of the government, receives a clearer elucidation from the consideration of the *colacretæ*. Ruhnken<sup>3</sup> has collected passages of ancient authors respecting them, without shedding light upon the essential characteristics of this enigmatical board of officers. The singular name itself<sup>4</sup> shows, that they originated in the most ancient periods of

<sup>1</sup> Demosth. ag. Mid. p. 570, 3, 13, 22, and Ulpian on the same.

<sup>2</sup> Pollux, VIII. 116. Ταμίαις ἐκάλουν τοὺς ταῖς ἱεραῖς τριήρεσι λειτουργοῦντας, ἄλλους ἢ τριηράρχους. I have given more precise information respecting this matter in the work on the "Seerkunden," (Documents relating to the Athenian Marine,) p. 168 sqq. Harpocr., and from him Suidas on the word ταμίαι say: εἰσὶ δὲ τινες καὶ τῶν τριήρων ταμίαι, ὡς ὁ αὐτὸς φιλόσοφος φησιν, namely, Aristotle. This passage has reference only to the sacred triremes, as Photius on the word ταμίαι shows: εἰσὶ δὲ καὶ ἄλλοι ταμίαι ἄρχοντες χειροτονητοὶ ἐπὶ τὰς ἱεράς καὶ δημοσίας τριήρεις, ὁ μὲν ἐπὶ τὴν παράλον, ὁ δὲ ἐπὶ τὴν τοῦ Ἀμμωνος. Δημόσιαί is applied here to these triremes in contradistinction to those ships which were not in ordinary service, and were incorrectly considered as not public ships, and is only another appellation of the ἱεραὶ τριήρεις. The succeeding remark in Harpocr., and in the other authors quoted from the Maricas of Eupolis, appears to refer to the treasurers of all the trierarchs in general, although, as I have remarked in Book IV. 11, a definite decision respecting the matter is not possible. Suidas and Photius on the word ταμίαι mention the treasurer of the amonias and the treasurer of the paralus together. Whether Antiphanes of Lamptra, who was engaged on board of the vessel of the shipmaster Philippus as treasurer, (Demosth. ag. Timoth. p. 1188, 20, p. 1189, 2,) was the private treasurer of the latter, or a public treasurer, is to me uncertain. Moreover the state paid also immediately to the trierarchs, not through the treasurer of the triremes, but through the board of superintendents, to whose province, according to circumstances, the object of the expense was most nearly related; as, for example, through the helle-notamias, (Beil. I. Pryt. 9). So the Amphictyons of Delos paid to the trierarch himself, not to a treasurer of the Theoris, (Beil. VII. § 5).

<sup>3</sup> In Tim. Plat. Lex. p. 171.

<sup>4</sup> From *κωλή*, an excellent piece of the animal offered in sacrifice, which is wont to be mentioned among the *ἱερώσυνα* as the legal portion of the priest or priestess; as was the *ῥομα* also. With the latter, the Schol. Aristoph., and from him Suidas, in the passage upon the word *κωλάκρηται* properly connect the *κωλαί*.



the state. They were called colacretæ (*κολακρέται*) as collectors of pieces of the animals offered in sacrifice (properly *κολαζορέται*);<sup>1</sup> an expression, according to which they must have been caterers for certain public feasts. With this corresponds what will soon be said of them. They received, doubtless, at the same time the honorary presents which in the most ancient periods were bestowed for the administration of justice upon the kings, afterwards upon the archons and the prytaneis as judges, and they managed every thing which was at that time of a financial nature. That mythical pyrandrus, whom Callisthenes<sup>2</sup> mentions as having been treasurer (*ταμίης τῶν δημοσίων*) in the time of the very ancient Eleusinian war, may also have been only a colacretes of the king, unless he were what his name, and the account itself show, merely an officer who had charge of the supplies of grain. And when we find in Cyzicus a verb derived from the name of the colacretæ, by which the official administration of certain officers was designated,<sup>3</sup> it is clear that they came with the ancient colony under Neleus to Miletus, thence to Cyzicus, as also the Munychian Diana, and the names of the four ancient Attic tribes. But in the course of time their sphere of duties must have been changed, or circumscribed. Solon allowed the colacretæ, as well as so many other institutions, to continue. Cleisthenes substituted the apodectæ in their stead.<sup>4</sup> They were then no longer receivers of the taxes, but their sphere of business was entirely changed. But what was it? According to the great Etymologicon,<sup>5</sup> they were treasurers, and had

<sup>1</sup> As Timæus, p. 171, and Photius write it, according to its derivation. Comp. Schol. Aristoph. Wasps, 693, and Suidas from the same in the second article.

<sup>2</sup> Ἐν τρίτῳ τῶν Θρακικῶν in the Parall. ascribed to Plutarch, Chap. 31.

<sup>3</sup> Οὐδε ἐκωλ[α]κρέτησαν, C. I. Gr. No. 360, together with the note.

<sup>4</sup> Androton in Harpocration on the word ἀποδέκται.

<sup>5</sup> P. 525, 14: Κολακρέται, οἱ τῶν ἀργυρίων ταμίαι, οἱ τὸ τριηραρχεῖν ἔταπτον. The expression τῶν ἀργυρίων is found also in reference to this subject in Lex. Seg. p. 275. Τὰ ἀργύρια for money is indeed an Attic expression; Pollux has remarked its use by Eupolis and Aristophanes, and in Aristoph. Birds, 600, the reading τῶν ἀργυρίων is established. Since there were also ταμίαι, who managed and kept other things beside money, the expression is entirely appropriate. It is justified, moreover, by the use of the word ἀργυροταμίας (see C. I. Gr. No. 354, and also C. I. Gr. Nos. 2787, 2817, 3773, 4500). The expression of Hesychius is entirely unambiguous: κωλακρέται, ἀργυρικοὶ ταμίαι, οὓς τινες οἰοῦνται μόνου τοῦ δικαστικοῦ προϊστασθαι. It is, therefore, a singular idea to take that expression τῶν ἀργυρίων in the glosses for τῶν ἀργυρείων, and to consider the colacretæ treasurers of the mines, a supposition, moreover, which

the charge of all business pertaining to the trierarchy. But this could have been only prior to the time of Cleisthenes, when they may have had the superintendence of all the public services of the citizens, and consequently also of the marine. Certainly the fact that they anciently had the money of the *naucrariæ* under their charge, (of which mention will soon be made,) harmonizes with the account of the *Etymologicon*. Of later periods, in relation to which we have had more definite accounts respecting the trierarchy, this assertion is entirely absurd, and not the slightest trace of such an arrangement is found. Nor could they after the time of Cleisthenes have been keepers of sacred moneys, although Pollux<sup>1</sup> confounds them with the treasurers of the goddess. It is certain only, that they were charged with the payment of the compensation of the judges, not only from passages in the grammarians,<sup>2</sup> but even from the comic author Aristophanes,<sup>3</sup> in reference to the time at which he wrote. This they delivered personally, as subordinate officers of the superintendent of the administration. Aristophanes, the grammarian, asserts expressly, what Hesychius also affirms, that they had no other charge than to provide for the payment of the compensation of the judges;<sup>4</sup> an evidence which is the weightiest of all. We know not with certainty whether they existed after the time of Euclid. But I can see no reason to the contrary. For although in Olymp. 113, 4 (B.C. 325), the compensation of the judges for conducting certain legal processes, relating to the regulations of the marine for the protection of the country, was paid from the treasury of the treasurers of the goddess, yet this was founded upon a special ordinance, whereby an exception was established.<sup>5</sup> Such exceptions, however, may have been the cause, that the

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is for many reasons untenable. The addition *οἱ τὸ τριηραρχεῖν ἔτατον* might indeed suggest the idea of the money derived from the mines, from which in the time of Themistocles the ships were built. But *τριηραρχεῖν*, and *ναὺς ποιεῖσθαι* are very different things.

<sup>1</sup> VIII. 97.

<sup>2</sup> Schol. Aristoph. Wasps, 693 and 723; Birds, 1540; Phot. and the Rhetorical Dictionary in the English edition of Phot. p. 672; Tim. as above cited; Lex. Seg. p. 275; Hesych. Suid. on the word *κωλακρέται*. The last in the second article from Schol. Aristoph.

<sup>3</sup> In the passages already cited.

<sup>4</sup> Aristoph. Gramm. in the Schol. Aristoph. Birds, 1540; Hesych. as above cited.

<sup>5</sup> *Securkunden*, XIV. p. 465, together with the remarks, p. 468 and p. 210 seq.

colacretæ have been confounded with the treasurers of the goddess. The ascription of power over the fines imposed by the judges to the colacretæ by the miserable grammarian of the library of St. Germain, whom Ruhnken cites, and Bekker has published,<sup>1</sup> is evidently a misunderstanding, which seems to have arisen from the circumstances, that they were confounded with the treasurers of the goddess, as by Pollux, for example, and that the right of annulling the fines imposed by the magistrates was ascribed to these treasurers.<sup>2</sup> The scholiast of Aristophanes<sup>3</sup> considered the providing of the meals in the Prytaneium as a part of their business, a matter of so little consequence, that Aristophanes, the grammarian, probably did not consider it worth while to take it into consideration. But this was certainly one of their duties. For since they were a board of officers, which had its origin before the time of Cleisthenes, but the compensation of the judges was first introduced by Pericles, they must in the interval have been charged with some duty, namely, that of providing the meals in the Prytaneium, a shadow of their more ancient office. The very name prytaneia, as of money pertaining to the courts, shows, that it was anciently paid in the Prytaneium to the prytaneis as judges, and was a compensation to them in that capacity. Out of this the cost of their meals might in part have been defrayed. It is of no consequence to us here what relation the prytaneis bore to the archons with respect to jurisdiction, when these last themselves administered justice. When afterwards the regular compensation of the judges was introduced, it seemed very natural, in accordance with what has been said above, to assign its payment to the colacretæ. Thus there is found a perfect unity between two duties, which at the first view seemed to be of so different a nature. It can hardly be doubted, that from that time both together were performed by them, so long as their office existed. Who attended to them afterwards it would not be worth while to investigate.

In conclusion, we must confute what the scholiast on the Birds alleges in order to disprove the assertion of the grammarian Aristophanes, which we have upon the whole accepted. Androtion,

<sup>1</sup> Lex. Seg. p. 190, 50 : *οἱ κρατοῦντες δικαστικὴν ζημίαν.*

<sup>2</sup> See above Book II. 3, of the present work.

<sup>3</sup> Birds, 1540.

the author of an Atthis, namely, had written that by a certain law, the colacretæ were directed to pay money for travelling expenses to the theori, who were sent to the Pythian games, as well as for all their other expenses, out of the *ρανκλιρικὰ*. Hence the tradition of the grammarians seems to have been derived, that they had the treasury for the festivals, or for the gods, under their charge.<sup>1</sup> The authorities will be searched in vain to ascertain what the *ρανκλιρικὰ* were. To me it is clear, that the money of the naucrariæ (properly according to ancient usage *ρανκρاريκὰ*) is meant. But I believe that Androtion, where he cites this law, spoke of the regulations that were in existence before the time of Cleisthenes. In this way the grammarian Aristophanes and Androtion may be easily reconciled; and we need no longer to consider the colacretæ as treasurers of sacred moneys after the time of Cleisthenes; for this will not at all harmonize with all the rest that is upon record.

## CHAPTER VII.

### THE HELLENOTAMIÆ; THE MILITARY TREASURY, THE TREASURY OF THE THEORICA.

A SPECIAL board of officers existed until the end of the Peloponnesian war, for the management of the tributes, the hellenotamiæ, or treasurers of the Hellenes. They had the treasury at Delos, or the hellenotamia [*Ἑλληνοταμία*],<sup>2</sup> under their charge, after Athens, on account of the treachery of Pausanias, subsequently to the battle at Platæa (Olymp. 75, 2, B. C. 479) had obtained the hegemonia, and that treasury through the influence of Aristides, had been constituted. This office was, from its very commencement, exclusively occupied by Athenians. The hel-

<sup>1</sup> Schol. Aristoph. Birds, 1540; Wasps, 693; Timæus; Lex. Seg.; and Phot.; also the Rhetorical Dictionary in the English edition of Photius, p. 672.

<sup>2</sup> Xenoph. concerning the Public Revenues, 5, 5, unless the reading should be *Ἑλληνοταμία*.



hellenotamiæ received the tribute, deposited it in the Delian treasury in the temple of Apollo, where the assemblies of the allies were held.<sup>1</sup> That they permanently had the keeping of this money<sup>2</sup> is a matter of course. They were retained when the treasury, under the pretence of greater security, was transferred to Athens. This act was declared, even by Aristides, to have been unjust, but useful. Its entire injustice, however, was first exposed by the extravagance of Pericles.<sup>3</sup> Even until the time of the anarchy, the hellenotamiæ are frequently mentioned, particularly in inscriptions.<sup>4</sup> After the anarchy there is no longer any trace of them found. It is unquestionably certain that the new constitution did not restore them, because the hegemonia, and the subjection of the allied states to the payment of tribute, had ceased. And although, also, Athens afterwards obtained tributes again, yet this board of officers was not restored for their management.<sup>5</sup> Hence the grammarians know hardly any thing of these treasurers. Harpocration says from Aristotle, that they were officers of the government, in Athens, who had the management of money; the etymologist, that they were the keepers of the common treasury of the Greeks. Suidas<sup>6</sup> gives

<sup>1</sup> Thuc. I. 96; Nepos, Aristid. 3; Plutarch, Aristid. 24; Andocides concerning Peace, p. 107. The genuineness of this oration was doubted by the ancients, but evidently without sufficient reason. Antiphon also (de cæde Herod. p. 739) mentions this board of officers, but we learn nothing concerning it from him.

<sup>2</sup> Schol. Thuc., as above cited.

<sup>3</sup> Plutarch, Aristid. 25; Pericl. 12; Nepos as above cited; Diodor. XII. 38.

<sup>4</sup> In order to exemplify the frequency of their mention in the inscriptions prior to the time of the anarchy, I will cite in connection the following inscriptions which are used in the sequel, together with some others not elsewhere cited by me, because no special information is to be obtained from them: 1. Beilagen I. II. III. IV. V. X. 16, XVI. 1. 2. Inscription of the date Olymp. 88, 3 (B. C. 426) sqq., which I have examined in the treatise upon two Attic records of accounts in the *Schriften d. Akad.* of the year 1846. 3. C. I. Gr. Nos. 148 and 149. 4. Not unfrequent mention of them in the lists of the tributes enumerated in Beilage XX. allg. Bemerkungen, Abschn. II. 5. Rangabé, *Antt. Hell.* No. 259, p. 343, and No. 345, p. 389; *Ussing Inscr. Gr. inedd.* No. 56, p. 52.

<sup>5</sup> The hellenotamias, who, according to the *Lives of the Ten Orators* (in the *Life of Lycurgus*), was banished in the time of the democracy, established after the fall of the thirty, had been previously hellenotamias. The hellenotamias, C. I. Gr. No. 1124, was of another kind.

<sup>6</sup> Vol. I. p. 715, Küst.

only information which is known from other sources. Pollux<sup>1</sup> asserts, that they collected the tributes, and had the political constitution of the islands that were subject to tribute under their protection. But the latter was rather the business of the *episcopi*, the former was unnecessary. For the states and cities subject to the payment of tribute, as a general rule, delivered the money themselves, in the spring, at the time of the annual celebration of the *Dionysia* in the city.<sup>2</sup> Only in extraordinary cases were persons appointed for its collection (*ἐκλογεῖς*),<sup>3</sup> who were different from the *hellenotamiæ*. Hesychius expresses himself most correctly, when he calls the latter the treasurers of the tribute delivered to the Athenians.<sup>4</sup> But the most information respecting them, is given by not a few inscriptions of a date prior to the time of Euclid.

The manner in which they were appointed is not known. But I think it probable, that, like the treasurers of the goddess, they were selected by lot from the *pentacosiomedimni*. They were changed annually.<sup>5</sup> Barthélemy<sup>6</sup> professed to know that there were ten of them, one from each tribe. I have not only found no such account, but can with considerable certainty confute the assertion. In the first supplement (*Beilage*) of the date *Olymp. 92, 3* (B. C. 410), for example, eleven *hellenotamiæ* are named: Callimachus of Hagnus, Phrasitelides of Icaria, Pericles of Cholargus, Dionysius of Cydathenæum, Thrason of Buteia, Proxenus of Aphidna, Spudias of Phlya, Anætius of Sphettus, Phalanthus of Alopece, Eupolis of Aphidna, Callias of Euonymia. Of these, Callimachus, Pericles, and Anætius, were of one tribe, namely, the tribe *Acamantis*. The two of Aphidna were both of the same tribe, probably the *Æantis*, to which Aphidna in the earliest periods seems to have belonged. And, besides,

<sup>1</sup> VIII. 14, Zonaras on the word *ἑλληνοταμίαι*, (in which article *ἐν Δῷ* should be written,) hardly deserves mention.

<sup>2</sup> Schol. Aristoph. *Acarn.* 503, from Eupolis, and 377 (in brackets in Dindorf's edition).

<sup>3</sup> Book II. 3, of the present work.

<sup>4</sup> Οἱ τοὶ κομισθέντων φόρων παρὰ Ἀθηναίους ταμίαι. I pass over a poor article in *Lex Seg.* p. 188 (*δικ. ὁρόμ.*).

<sup>5</sup> Hence the expression *ἑλληνοταμίαις ἐνοῖς* in the record of accounts *Abh. d. Akad.* of the year 1846, line 26.

<sup>6</sup> *Mém. de l'Acad. des Inscriptions.* Vol. XLVIII. p. 341.

Pericles and Anætiæ were hellenotamiæ, even in the same prytania, namely, in the sixth, and the two of Aphidna also in the same prytania, namely, in the seventh. We are compelled to assume, therefore, that either no regard was paid to the tribes in their appointment, which was also unnecessary, since these officers originally had no part in the internal administration of the government, or that several were taken from each tribe. I consider the former the more probable supposition, and believe that there were ten of them, and that they entered upon their office, not at the commencement of the year, but after the celebration of the Panathenæa, toward the end of the first prytania. If this be assumed, the names of two of those above mentioned, namely, Callimachus and Phrasitelides, are to be dropped from the number eleven, and we will have in the inscription only nine, who were colleagues, and the name of the tenth will not have been preserved to us. That they were, however, mostly of different tribes, as the investigation also of other documents has informed me, is easy to explain.

To determine their sphere of business is still more difficult than their number. While the treasury was in Delos they must have been both apodectæ and treasurers. Afterwards the apodectæ seem to have received the tributes in the council, and the hellenotamiæ to have been only superintendents of the treasury formed from the same.<sup>1</sup> When the tributes were changed into a tax they probably also remained the cashiers for it. Certain deductions from the tributes seem to have been paid by them for a sacred treasury, and they, on that account, to have been mentioned in the lists in which those deductions were recorded.<sup>2</sup> The payment of certain expenses of the state, therefore, must have been assigned to their treasury; at first, of those for which the tributes were originally designed, namely, those for common wars, and for festivals jointly celebrated by the confederacy. But in later periods the Athenians considered the money as their own property, and with it erected edifices, procured and engaged in works of art, celebrated festivals, made distributions, and appropriated it as theoria.<sup>3</sup> Whatever portion of it the

<sup>1</sup> Comp. Book II. 4, of the present work.

<sup>2</sup> See Beilage, XX. allg. Bemerkungen, Abschn. II, B. St. d. Athen. Vol. II.

<sup>3</sup> Plutarch, Aristid. 24; Pericl. 12.

hellenotamiæ did not use, was, of course, deposited in the treasury in the citadel,<sup>1</sup> which consisted principally of the tributes. This money was no longer under their charge so soon as it was deposited in the citadel, or even before its delivery, as soon as it had been previously assigned to the treasury, but was under the superintendence of the treasurers of the goddess. To cite single examples, we see that the hellenotamiæ paid money out of their treasury for the building of the propylæa to the superintendents of the same,<sup>2</sup> and that the money in their possession, about Olymp. 90 (B. C. 420), was appropriated for the payment of the debts of the state.<sup>3</sup> On the contrary, sums were delivered to them from the general treasury, Olymp. 92, 3 (B. C. 410), for the purpose of paying the money required for the subsistence of the cavalry, the diobelia, and moneys required for military expenses.<sup>4</sup> We find that numerous disbursements were made to them in the next period for the purpose of paying the diobelia.<sup>5</sup> During that period the cavalry seem not to have been paid in time of peace by the treasurer of the administration, but by the hellenotamiæ. The office of the military treasurer, and of the superintendents of the theoricon did not at that time exist, but were first introduced after the abolishing of the office of the hellenotamiæ, who had previously made all the payments of that kind. Beside the instances mentioned, we find that often, during the Peloponnesian war, money, chiefly for military purposes, was delivered to them by the treasurers of the goddess,<sup>6</sup> and even vessels, and other articles of precious metal; evidently to be employed instead of money.<sup>7</sup> Sometimes the payment was made to them and to military commanders at the same time. But

<sup>1</sup> Comp. Beilage II. A. 6 seq., B. St. d. Athen. Vol. II.

<sup>2</sup> Beilage XVI. 1, B, Böckh, St. d. Ath. Vol. II.

<sup>3</sup> Beil. III. § 3, id.

<sup>4</sup> Beil. I, id.

<sup>5</sup> C. I. Gr. No. 148, 149.

<sup>6</sup> Comp. in respect to this point, Beilage II. in several places; Beilage V, B, St. d. Ath. Vol. II.; Inscription of the date Olymp. 88, 3 (B. C. 426), sqq. (first and second year; in which money was paid even to the hellenotamiæ of the previous year) in Rang. Antt. Hell. No. 116, 117, explained by me in the Abhh. der Akad. of the year 1846.

<sup>7</sup> Beilage X. 16, (C, II. from conjecture, and D, II.), B, St. d. Ath. Vol. II.



often money was paid from the general treasury immediately to the generals, commandants of armies. That the general treasury paid money to the hellenotamiæ is nothing remarkable. Their treasury must have been exhausted, and, in order that they might be able to pay the expenditures assigned to them, the general treasury came to their aid. Hence is explained the fact, that in many accounts payments to them are mentioned to supply certain wants, of which there is no mention in other accounts. Sums were also lent to them, from the sacred moneys, for covering deficiencies, in order that they might pay what was required by the athlothetai.<sup>1</sup> According to the above, a large amount of money must have passed through their hands, and their business could not have been unimportant. In order to perform their duties more easily they divided the same among them,<sup>2</sup> and they had also associates (πρωεδδοι)<sup>3</sup> to assist them in their business.

As after the time of Euclid the hellenotamiæ are no longer mentioned, so we find prior to the same no military paymaster, nor superintendents of the theorica. But the former did all the business which in later periods belonged to both the latter. We are therefore authorized to assume, that by the political constitution of Euclid two new offices, that of the military paymaster, and that of the superintendents of the theorica, were introduced in the place of the hellenotamiæ. The *military paymaster* (ταμίης στρατιωτικῶν) is but seldom mentioned. The author of the *Lives of the Ten Orators*<sup>4</sup> remarks, that Callias, the son of Habron of Bate, the brother-in-law of Lycurgus, occupied this office in the archonship of Chærondas, Olymp. 110, 3 (B. C. 338). In a later inscription, probably of a date subsequent to Olymp. 123 (B. C. 288), we find also a notice of the same officer.<sup>5</sup> Probably the office was filled only in time of war, and was abolished

<sup>1</sup> Beilage II. D, Böckh, St. d. Ath. Vol. II.

<sup>2</sup> As is especially proved by Beilage I. II. id., and C. I. Gr. No. 148.

<sup>3</sup> Beilage I. Pryt. 6 ; Beilage II. in several places, ut sup. ; C. I. Gr. No. 148, 149.

<sup>4</sup> Life of Lycurgus according to Salmasius's correction. For he is commonly called Καλαῖδης. ΚΑΛΑΙΟΥ and ΚΑΛΛΑΙΟΥ are expressed by almost the same characters. Concerning the individual, see Seurkunden, p. 240.

<sup>5</sup> Ephem. Archæol. No. 339. In this the following completion is to be made: εἰς δὲ τὴν ἀναγραφὴν || [ν καὶ τὴν ἀνάθ] εσαν τῆς στῆλης μερίσαι τὸν ταμίαν || [τῶν στρατι]ωτικῶν καὶ τοῖς ἐπὶ τῇ διοικήσει τὸ γὰρ || [νόμιμον ἀνάλω]μα.

when there was no longer an armed force on foot. The military treasury itself, exclusive of certain tributes, was formed from two sources, both which, however, were very uncertain. According to ancient laws,<sup>1</sup> the surplus of the general treasury of the administration was appropriated for the army (*τὰ περίορτα χορήματα τῆς διοικήσεως εἶναι στρατιωτικά*). But the people had the madness always to wish the surplus to be considered as theoria. Indeed the flatterer of the people, Eubulus, had the proposition enacted into a law, that whoever should again propose to change the theoria into a military fund should suffer death. This law, which was embarrassing with respect to the prosecution of war, was frequently attacked by the well-disposed citizens. Demosthenes directed attention to the fact, that the Athenians had a large amount of money for military purposes, but lavished the same on the festivals. Apollodorus incurred a fine of fifteen talents, because he had proposed to employ the surplus in the prosecution of the war, and for the moment had carried the proposal.<sup>2</sup> And although Eubulus himself made the proposal again to change the theoria into a military fund,<sup>3</sup> and all the moneys belonging to the state were, according to Philochorus,<sup>4</sup> upon the proposal of Demosthenes, Olymp. 110, 2 (B. C. 330), appropriated for the prosecution of the war, yet treacherous or inconsiderate statesmen could withdraw the largest sums from the military fund, by proposing a distribution of money among the people. Of this, Demades gave the most detestable example.

Moreover, the extraordinary property tax (*εἰσφορά*) was designed for the military fund.<sup>5</sup> But since the people were reluctant to grant this, the treasury was generally empty. There were also many higher and subordinate offices requisite for the keeping and disbursing of the military fund. Not all the generals, at least in the time of Demosthenes, but, as I conjecture, earlier

<sup>1</sup> The speech ag. Neæra, p. 1346, 1347; Liban. Introd. to Olynth. I. Comp. Demosth. Olynth. I. p. 14, 19, and Olynth. III. (for example, p. 31); Harpocr. on the word *ἀναρχία*; and from him Suidas, and Etym. Comp. Ruhnck. Hist. Crit. Or. p. 146, Vol. VIII. of Reisk. Orat.

<sup>2</sup> The speech ag. Neæra, p. 1346, 19.

<sup>3</sup> Demosth. *περὶ παραπρεσβ.* p. 434, 24.

<sup>4</sup> Fragm. p. 26.

<sup>5</sup> Demosth. ag. Polycl. p. 1209, near the commencement, and in several other passages.

also, were actual commanders of troops or places, but only the generals of the infantry, and of the cavalry of each army (στρατηγὸς ὁ ἐπὶ τῶν ὀπλῶν or ὀπλιτῶν, and ὁ ἐπὶ τῶν ἵππέων), and some who were appointed at certain periods for particular places (στρατηγὸς ὁ ἐπὶ τὸν Πειραιᾶ,<sup>1</sup> ὁ ἐπὶ τὴν Μουννυχίαν καὶ τὰ τεώρια χειροστονημέρος,<sup>2</sup> ὁ ἐπὶ τὴν χώραν τὴν παραλίαν, ὁ ἐπὶ τῆς χώρας).<sup>3</sup> Others were assigned to the war department of the administration, as, for example, to the *summorie* of the trierarchie (στρατηγὸς ὁ ἐπὶ τὰς συμμορίας ἡρημέρος).<sup>4</sup> One, if we are not deceived by the authorities, and the interpretation of them, as general of the administration, (στρατηγὸς ὁ ἐπὶ διοικήσεως), both participated in the exercise of jurisdiction, and in other business, and also the payment of the troops<sup>5</sup> was one of his duties. For this latter purpose he must have had his treasurer. Among his proposals for military preparations, Demosthenes<sup>6</sup> desired that treasurers and public servants (δημόσιοι) should be appointed to keep the military fund; that the management of the same should be watched as carefully as possible; and that the general should not be held accountable for it, but the persons appointed to take charge of it. Several treasurers mentioned in ancient authors appear to have been only private cashiers of the generals, and not to have been

<sup>1</sup> Inscription in Ross, *Hellenica*, I. p. 68. The *στρατηγὸς ἐπὶ τὸν Πειραιᾶ* is mentioned also in an inscription published by Rangabé, in the *Annal. dell. Inst. di Corr. Archeol.* Vol. XXI. (1849), p. 165.

<sup>2</sup> Dinarch. ag. Philocl. p. 92.

<sup>3</sup> See the *Seeurkunden*, p. 527. In this, Nos. 178, 179 are to be written (instead of 177, 178).

<sup>4</sup> *Seeurkunde*, XIV. a, 215. Compare the *einleitende Abhandlung*, p. 210.

<sup>5</sup> In the decree in Demosth. concern. the Crown, p. 238, 12, is found, for example, in reference to a sort of military court, the following sentence: *περὶ δὲ τοῦ ἁνδράτου ἐπικρινέτω ὁ ἐπὶ τῶν ὀπλῶν στρατηγὸς καὶ ὁ ἐπὶ τῆς διοικήσεως καὶ ὁ γραμματεὺς τῆς βουλῆς*. As I understand it, the *στρατηγὸς ὁ ἐπὶ τῆς διοικ.* mentioned in the preceding part of the decree is intended. For it is difficult to perceive what the superintendent of the administration could have to do with such an investigation. The secretary of the council, on the contrary, was not unsuitable for it. In the same speech, p. 265, 8, ὁ ἐπὶ τῶν ὀπλῶν is mentioned as a leader of troops; and immediately afterward, *Philon ὁ ἐπὶ τῆς διοικήσεως*, who had to disembark in order to pay the troops. Since ὁ ἐπὶ τῶν ὀπλῶν was a general, so also ὁ ἐπὶ τῆς διοικήσεως appears to have been one; for here also the superintendent of the administration would not be in his proper sphere. Both passages, however, stand in decrees liable to the suspicion of being spurious.

<sup>6</sup> The speech respecting the Chersonesus, p. 101, 14. From this the whole passage is transferred to the fourth Philippic, (p. 137). The spuriousness of this latter speech has been recognized by Valckenær in his remarks upon the *orat. de Philipp. Mac.* p. 251, and by Wolf on *Lept. Prolegg.* p. LX.

in the service of the state; as, for example, Philocrates of Ergocles, and Antimachus of Timotheus. The latter managed all the business of Timotheus, and himself kept a secretary.<sup>1</sup> The trierarchs likewise had treasurers.<sup>2</sup>

By means of the theoricon (τὸ θεωριζόν, τὰ θεωριὰ or θεωριὰ χοίματα), the most pernicious issue of the age of Pericles, there arose in a small free state a lavish expenditure, which was relatively not less than in the most voluptuous courts, and which consumed large sums, while the wars were unsuccessful for the want of money. By it is understood the money which was distributed among the people for the celebration of the festivals and games,<sup>3</sup> partly to restore to the citizens the sum required for their admission into the theatre, partly to enable them to procure a better meal. In part it was expended for sacrifices,<sup>4</sup> with which a public feast was connected. From the nature of the case the surplus of the administration was appropriated for this purpose. But in the more ancient periods provision was at the same time made from the surplus for the treasury also. In later times so far from any portion of the surplus going into the treasury, none of it was added even to the military fund. The superintendents of the theoricon were not called treasurers; but they evidently had a treasury. Their office was one of the administrative offices of the government, and indeed of the most eminent. They were elected by the assembly of the people through cheirotonia.<sup>5</sup> Their office seems to have been annual.<sup>6</sup> Their number is no-

<sup>1</sup> Lysias ag. Philocr. p. 829; Demosth. ag. Timoth. p. 1176, 17; p. 1187, 10.

<sup>2</sup> See Book II. 6, of the present work. Which treasurer is to be understood by the one who gave the garland to the trierarch, who first had his ship ready for sea (Demosth. concerning the Trierarchal Crown, p. 1228, 5) is uncertain. We may conceive of several. To understand that the military treasurer was the officer who performed that duty, is certainly liable to objections.

<sup>3</sup> Pollux, VIII. 113; Harpocr. Suid. Hesych. Etym. Ammonius.

<sup>4</sup> Demosth. concern. the Crown, p. 226, 22. Comp. below, Chap. 13.

<sup>5</sup> Æsch. ag. Ctesiphon, p. 416, 418. Petit. Leg. Att. III. 2, 35, sought to determine the time of their election. The groundwork of his conclusion, however, is unsafe, and, therefore, I pass over this point. The official year of the superintendents could not, however, have corresponded with the civil year. Otherwise Æschines ag. Ctesiph. could not have taken so much pains to prove that Demosthenes was still superintendent of the Theorica, when Ctesiphon wished to cause him to be crowned.

<sup>6</sup> The manner in which Æschines ag. Ctesiphon, p. 416, speaks of the election of Demosthenes to this office, suggests a probable inference to that effect. Æschines



where given. Probably there were ten of them, one from each tribe. This could hardly be otherwise, considering the extensive sphere of their office.<sup>1</sup> Their appellation is various, (*ἀρχὴ ἐπὶ τῷ θεωρικῷ, ἐπὶ τῷ θεωρικῷ ὄν, οἱ ἐπὶ τὸ θεωρικὸν κειροτονημένοι, ἐπὶ τῶν θεωρικῶν τεταγμένοι, ἐπὶ τοῦ θεωρικῶν κατασταθεῖς, θεωρικὴ ἀρχή, ἄρχων τῶν θεωρικῶν, οἱ ἐπὶ τὸ θεωρικὸν ἱρημένοι*).<sup>2</sup> To the original sphere of duties of the superintendents of the theorica, was added, when Eubulus of Anaphlystus occupied the office, and had gained the confidence of the people in a high degree, a great part of the duties of the other administrative offices. For example, the control of the public revenues, the duties of the apodectæ, of the superintendents of the dock-yards, the building of the arsenal, the care of streets, were added to their other duties. The last was added partly, perhaps, because it was connected with the festival processions. Almost all the other duties pertaining to the administration of the government, as Æschines, perhaps somewhat exaggerating, asserts,<sup>3</sup> were assigned to them. Eubulus, as superintendent of the theorica, seems to have had the building of ships under his charge.<sup>4</sup> Also the participation of these officers in the sales of the poletæ<sup>5</sup> may, most naturally, be referred to this period. Demosthenes was, about the time of the battle of Chæronea, both superintendent of the theorica, and of the building of the walls of the city. He held the latter office,

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wished to show on what day of the year of what Archon Demosthenes was elected, in order to prove that, at the time when Ctesiphon proposed the decree respecting crowning him, Demosthenes was still superintendent of the theorica. If the office was not annual, but its term four years, for example, Æschines would not have said that it should be shown *ἐπὶ τίνος ἀρχοντος* he was elected, but he would have told *ἀπὸ τίνος ἀρχοντος μέχρι τίνος* his legal term of office extended.

<sup>1</sup> The assertion that there was only one superintendent of the theorica, is not consistent with the passages of ancient authors upon the subject. The assertion that a single individual holding that office, was the superintendent of the administration, contradicts entirely all the circumstances of the case, and is confuted by the whole account which we have given of the office, and especially by the passage last cited from Æschines. Comp. also, in reference to this point, Westermann *Zeitschrift f. Alt. Wiss.* 1837, No. 36.

<sup>2</sup> Æschines, as above cited; Demosth. concern. the Crown, p. 264, 10; p. 243, 27; p. 266, 22; Lex. Seg. p. 264; Suid. Etym. Pollux, VIII. 99.

<sup>3</sup> Æsch. ut sup. p. 417 sqq.

<sup>4</sup> Dinarch. ag. Demosth. p. 66.

<sup>5</sup> Book II. 3, of the present work.

however, not in his capacity of superintendent of the theorica, but by special election.<sup>1</sup>

The great variety of the duties and powers assigned to the superintendents of the theorica, in so corrupt a period, can surprise no one. The theorica promoted the private interest of the citizens. The assembly of the people, therefore, by their decrees endowed with great influence those who were able and willing to fill the purse of each individual at the common cost. The Athenian people was a tyrant, and the treasury of the theorica its private treasury. If a tyrant will have a private treasury, ever filled for the purpose of gratifying his inclinations, he will do well to clothe the superintendents of the same with great power, that they may allow only so much of the revenues of the state to be distributed among the several departments of the administration, as is possible without detriment to his private treasury. That ochlocratic arrangement was abrogated Olymp. 110, 2 (B. C. 339), and 112, 3 (B. C. 330).<sup>2</sup>

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## CHAPTER VIII.

### SECRETARIES, CONTROLLERS, AUDITING BOARDS, AND ACCOUNTING SYSTEM.

THE quantity of writing required from these officers in the discharge of their duties must have been very great. An account was to be kept of receipts and expenditures, and a record of all orders upon which payments were made, together with the receipts for the payment of the same, and finally the settlement and balancing to be made out. All this was done by the secretaries and controllers (*γραμματεῖς* and *ὑπογραμματεῖς*). Thus the treasurers of the sacred moneys, the hellenotamiæ, the Amphictyons of Delos, the different superintendents of the public works,

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<sup>1</sup> Æschines and Demosth. concerning the Crown.

<sup>2</sup> Petit. Leg. Att. III. 2, 36.

in general almost every officer or board of officers, and so, also, as was just remarked of Antimachus the treasurer of Timotheus, even subordinate or private cashiers had their secretaries.<sup>1</sup> Those citizens who were appointed as accounting officers, were persons of humble condition in society. Yet the various boards of officers very often dated their proceedings either by the name of their secretary, or with the addition of the same to their own. But also public slaves (*δημόσιοι*), whom the state had caused to be instructed for that purpose, were used, and were in part assigned to its officers for the purpose of keeping their accounts; as, for example, to their generals, and paymasters in time of war:<sup>2</sup> in part they were employed as controllers (*ἀντιγραφεῖς*, contrarotulatores). They may have been thus employed, for instance, in relation to the treasurers of the sacred moneys, and for the war taxes; for in respect to both a register of control seems to have been kept. Demosthenes, however, assumes, that with regard to the latter each person who paid his tax controlled the accounts himself.<sup>3</sup> An official secretary of an officer of the state (*ἀρχὴ*) was never a slave. Although the secretary Nicomachus was called a public slave (*δημόσιος*) by Lysias,<sup>4</sup> yet this has no relation to the present subject. For he was in the first place only a copyist or subordinate secretary, and the orator gives him that appellation only through the influence of the common partiality of an advocate for his client, and in reference to his father, since he himself had been enrolled among the phratores, and was consequently a citizen. But the Athenians even preferred that public slaves should be their controllers, because in an investigation they could be immediately subjected to torture, and torture was considered the surest means to ascertain the truth.<sup>5</sup> A citizen accused of a crime could in no case be subjected to torture, unless "the decree of the people

<sup>1</sup> The inscriptions give examples of this in a great many instances, many of which will be found in those inscriptions contained in the "Beilagen," in Vol. II. B, St. d. Athen.

<sup>2</sup> Demosth. concern. the Cherson. p. 101, 14, and, from the same, Philipp. IV. p. 137; Ulpian on Demosth. Olynth. II.

<sup>3</sup> Demosth. ag. Androt. p. 615, 12 sqq.; Lex. Seg. p. 197.

<sup>4</sup> Ag. Nicom. p. 842. Comp. p. 836, 837.

<sup>5</sup> Demosth. ag. Aphob. *ψευδομ.* p. 846, 7; p. 848, 8; p. 856, 20. Hudtwalcker, v. d. Diet. p. 51, shows particularly, that more credit was given to the deposition of the slaves upon the rack, than to the testimony of freemen under oath.

passed in the time of Scamandrius (τὸ ἐπὶ Σκαμανδρίον ψήφισμα),” which prohibited it, were previously suspended.<sup>1</sup> When Lysias said of Theodotus, a lascivious Platæan boy, that he might have been subjected to the torture,<sup>2</sup> it is to be assumed that he was not a citizen, although most Platæans were citizens, and naturalized citizens were even called Platæans. But he was at all events a freeman. It must have been possible, therefore, to subject freemen who were not citizens to torture, which is clear from other passages also.<sup>3</sup> It was certainly not so easy, however, as in the case of slaves.

Beside those entirely subordinate controllers there were others of more importance, who are partly confounded with the secretaries. The consideration of the same is necessary for my object, and on account of them I must treat of the principal secretaries of the Athenian State. It is difficult to obtain a clear view of the nature of their office.<sup>4</sup> Suidas mentions three secretaries, which he alleges were the principal secretaries of the state.<sup>5</sup> Pollux<sup>6</sup> gives more definite information respecting them

<sup>1</sup> Andoc. concern. the Myst. p. 22.

<sup>2</sup> Apol. ag. Simon. p. 153. Comp. Meier, and Schömann. Att. Process. p. 686.

<sup>3</sup> Lysias ag. Agorat. p. 461 seq.; Antiphon concern. the murder of Herodes, p. 729. This indeed has reference to a circumstance which occurred in Mytelene. But the law of Lesbos could hardly have differed from the Attic law in this respect. The torturing of the woman, mentioned in Antiphon *κατηγ. φαρμ.* p. 615, cannot with certainty be cited as having relation to the subject at present under consideration, since it is not clear, either that she was a free-woman, nor whether the torture was used for the purpose of investigation, or was a part of the punishment. The torture as punishment has no relation to this subject. I will only remark further, that in the case mentioned by Demosthenes concern. the Crown, p. 271, the torture seems to me to have been a part of the punishment.

<sup>4</sup> Some collections of passages respecting the secretaries are given, beside Valesius on Harpoer., by Meursius Lect. Att. VI. 25, Petit. Leg. Att. III. 2, 28. Barthélemy, Publications of the Acad. of Inscript. Vol. XLVIII. p. 345. In the C. I. Gr. I have in several passages treated of the secretaries. With respect to obscure points I have expressed myself indeterminately, and, besides, have been mistaken with respect to some minute particulars (as for example in Nos. 81, 107, 124, 190, and also in the Add. Vol. I. p. 907). But even after the corrections which I have since tacitly made the subject is not yet completely elucidated.

<sup>5</sup> Suid. *κληρωτοὶ δὲ (γραμματεῖς) ἔσαν τὸν ἀριθμὸν τρεῖς γράφοντες τὰ δημόσια. οἰδενὸς δὲ ἔσαν κίριοι ἀλλ' ἢ τοῦ γράφειν καὶ ἀναγνῶναι.* The first assertion, namely, that they were *κληρωτοί*, expressed in this general manner, is, at least in reference to the more ancient periods, incorrect.

<sup>6</sup> VIII. 98. *γραμματεῖς δὲ κατὰ πρυτανείαν, κληρωθεῖς ἐπὶ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα ἀναγνῶναι καὶ τὰ ψήφισματα καὶ ἔτιρος ἐπὶ τοῖς νόμοις ἐπὶ τῆς βουλῆς χειροτονοῦμε-*



as follows. One, the secretary according to the prytania (γραμματεὺς ὁ κατὰ πρυτανείαν), was selected by the council, by lot, to preserve written documents, and decrees of the people: evidently the one of whom, according to Harpocration,<sup>1</sup> Aristotle amply treated. Another was chosen by the council, by cheirotonia, for the laws. A third, chosen by the people, read to the council and people. It is desirable to refer those secretaries mentioned in authors and inscriptions to the above designated.

The first may be designated, even abstractedly from his official appellation, as secretary of the prytaniæ. He was changed with every prytania. He was the officer who, in the decrees before the time of Euclid, and very often also in those of a later date, after the mention of the name of the tribe which held the prytania, is named as secretary; in the decrees after the time of Euclid, oftener, with the definite designation, that he was "the secretary of *this* prytania." The year was designated in the more ancient periods by the name of *this* secretary of the *first* prytania, together with or without that of the archon (ἐπὶ τῆς βουλῆς, ἣ ὁ δεῖνα πρῶτος ἐγραμμίτετε.)<sup>2</sup> Of course those only drew lots for the office, who were inclined so to do; and the same individual, if he made frequent application for the office, could obtain it in several prytaniæ in the same year. For example, Lysistratus of Pæania, in the archonship of Diotimus, was secretary of the seventh and of the twelfth prytania, that of the

ρος. ὁ δὲ ὑπὸ τοῦ δήμου αἰρεθεὶς γραμματεὺς ἀναγινώσκει τῷ δήμῳ καὶ τῇ βουλῇ. Compare, for instance, respecting the third, Suidas upon the word γραμματεὺς: ὑπανεγίνωσκε δὲ τῇ βουλῇ καὶ τῷ δήμῳ τὰ πραττόμενα. This can refer to the last mentioned alone. Similar is the account in Lex. Seg. p. 185, 14.

<sup>1</sup> Γραμματεὺς, Δημοσθένης ἐπὲρ Κτησιφώντος. ὁ γραμματεὺς πῶς τε καθίστατο καὶ τί ἐπρατεν, ὡς τῶν γραμμάτων τ' ἐστὶ κύριος καὶ τὰ ψηφίσματα τὰ γενόμενα φυλάττει καὶ τὰ ἄλλα πάντα ἀντιγράφεται καὶ παρακάθηται τῇ βουλῇ, δεδήλωκεν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ. This article refers, it is true, to the γράμματεὺς τῆς βουλῆς mentioned in the decree recited in Demosth. concern. the Crown, p. 238, 14. That is no reason, however, why we should not understand the article as relating to the one chosen, according to Pollux, for each prytania. It is remarkable that Harpocration says: καὶ τὰ ἄλλα πάντα ἀντιγράφεται καὶ παρακάθηται τῇ βουλῇ. This is much more suitable for the ἀντιγραφεὺς, of whom Pollux, VIII. 98, says: καὶ πάντα ἀντεγράφετο παρακαθήμενος τῇ βουλῇ. Valesius on Harpocr. professes with reason, therefore, to perceive in these words a confounding of this secretary with the controller. Kühn's objections to this (on Pollux, VIII. 98) are of no account.

<sup>2</sup> See Beil. I. and III. I pass over other numerous examples.

tribe Antiochis, and that of the tribe Pandionis.<sup>1</sup> This officer was a senator; in most of the cases which are on record he was not a prytanis. But a prytanis could also be a candidate for the office; and in some cases one of the prytaneis was appointed to it.<sup>2</sup> This officer is mentioned by the appellation γραμματεὺς ὁ κατὰ πρυτανείαν in a law of Timocrates, recited in Demosthenes,<sup>3</sup> if it is entirely genuine, of a date prior to Olymp. 106, 4 (B. C. 353). According to that law, it was one of his duties to deliver the judgment of the council, in an eisangelia, to the thesmothetæ. In the later inscriptions,<sup>4</sup> after the time of Trajan, he is mentioned by the same appellation, or also by that of ὁ περὶ τὸ βῆμα among the æsiti, of course only for the prytania, during which he was in office, and in case he was not a prytanis. For the æsiti were parasi of the prytaneis. We find numerous inscriptions of the intermediate period, in which the publication of the decrees of the people, by exposing them to view, inscribed on tablets, was assigned to the secretary, according to the prytania. So far as these documents exhibit reliable marks, by which their date can be ascertained, the oldest is the inscription relating to the building of the walls,<sup>5</sup> under the administration of Habron, the son of Lycurgus. This document, if Habron only lent his name to the administration, while it was actually conducted by Lycurgus, cannot be of a later date than Olymp. 113 (B. C. 328). All the others are either demonstrably later than Olymp. 114 (B. C. 324), (a part being of the period of the division of the Athenians into twelve tribes, namely, of the dates Olymp. 123 (B. C. 288), about Olymp. 127 (B. C. 272), and so down to the first century before Christ), or they *may* be later than Olymp. 114 (B. C. 324).<sup>6</sup> On the other hand, the appellation γραμματεὺς τῆς δουλῆς is

<sup>1</sup> Meier, Int. B, der A. L. Z. 1836, No. 43, according to the decrees in honor of Spartacus, and of Audoleon.

<sup>2</sup> In the decree in honor of Audoleon; in the C. I. Gr. No. 124; in the decree against Antiphon, in the Lives of the Ten Orators, p. 225 (according to the combination which I have made in C. I. Gr. Vol. I. p. 907). My earlier scruples against the last two cases are, according to the first, no longer admissible.

<sup>3</sup> Ag. Timocr. p. 720, 22.

<sup>4</sup> See C. I. Gr. No. 190. To the inscriptions used in that place, there is, beside No. 196, b, in the Addenda, now to be added a fragment in Ross's work, v. d. Demeu, No. 11.

<sup>5</sup> See Müller de Munim. Ath. p. 34, line 31.

<sup>6</sup> C. I. Gr. No. 107 (of the date Olymp. 123, B. C. 288); Ephem. Archæol. No. 41

found earlier than that of γραμματεὺς κατὰ πρωτανείαν. We find it in a decree even before the archonship of Euclid, in which, however, it is not clear what was the duty of the person thereby designated.<sup>1</sup> But the γραμματεὺς τῆς βουλῆς was charged, before the archonship of Euclid, with the duty of providing for the inscribing and publishing of the decrees,<sup>2</sup> and consequently in such documents as are older than the date Olymp. 114 (B. C. 324).<sup>3</sup> The latest, in which this duty is assigned to the γραμματεὺς τῆς βουλῆς, is of the date Olymp. 114, 3 (B. C. 322);<sup>4</sup> and all the rest in which the γραμματεὺς τῆς βουλῆς is mentioned in relation to the publishing of the decrees, may be older than this date.<sup>5</sup> An unreliable document in Demosthenes,<sup>6</sup> in which the same officer is mentioned in another connection, refers also to an earlier period. I return, therefore, anew, to the conjecture already expressed, namely, that the appellation of the secretary whose duty it was

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(Clarisse Inscr. Gr. Par. No. 1, also of the date Olymp. 123); Eph. Archæol. No. 1, line 42 (Clarisse, Inscr. Gr. tres No. 2, of the time of Chremonides, about Olymp. 127 (B. C. 272); C. I. Gr. Nos. 112 and 113 (of the time of the twelve tribes); Ephem. Archæol. No. 334 (of the period in which there were several superintendents of the administration); Ephem. Archæol. No. 86 (Ross's Demen. No. 13, not older than the first century before Christ); further, the inscriptions in Davidoff's Reisen, Bd. II. Anhang, No. 47; Ephem. Archæol. Nos. 95, 187, 209, 357, 419, 950; and the fragment of a decree of the people cited above, Book II. 6, which appears not to have been printed. In C. I. Gr. No. 125, the words γρ. κατὰ πρωτανείαν are, it is true, merely supplied even to the last N, but with certainty, however. This inscription also bears, clearly enough, the stamp of a later period.

<sup>1</sup> Inscription in Rangabé's Antt. Hell. No. 273 (Ephem. Archæol. No. 244, Curtius, Inscr. Att. p. 29).

<sup>2</sup> Inscription in Rang. No. 274.

<sup>3</sup> C. I. Gr. No. 84, of the date Olymp. 100, 4 (B. C. 377); C. I. Gr. No. 87, of the date Olymp. 101-103 (B. C. 376-368); C. I. Gr. No. 90, probably of the date Olymp. 106, 2, (B. C. 355); Ephem. Archæol. No. 401 (Curtius, Inscript. Att. p. 13), of a date prior to Olymp. 109, 3 (B. C. 342). I omit the inscription C. I. Gr. No. 92, although in it also my supplying of the words γραμμ. τῆς βουλῆς is undoubtedly correct.

<sup>4</sup> Ephem. Archæol. No. 371, at the conclusion of the first decree, the commencement of which is wanting. This decree was the probuleuma proposed by the senate in the form of a decree of the people, and enacted by the latter. The decree which follows it is a proposal, supplementary to the same, and was composed in the archonship of Philocles, as was also the former. Philocles is mentioned as Archon, Olymp. 97, 1 (B. C. 392), and 114, 3 (B. C. 322); but the second decree, with respect to its form, does not correspond with the first-mentioned year.

<sup>5</sup> C. I. Gr. No. 92, according to a reliable completion; Beilage IV. 12, h. (Ephem. Archæol. No. 948); Ephem. Archæol. No. 158, 184 (probably of the date Olymp. 106, 1 (B. C. 356), since in line 1, it seems that [ἐπὶ Ἑλλπῆ]νον ἀρχοντος ought to be read).

<sup>6</sup> Concerning the Crown, p. 238, 14.

to publish the decrees, was changed; and that the secretary of the prytania was the same officer who is named in the earlier documents secretary of the council; but that the appellation was changed after a second secretary of the council was added. It might, it is true, be said, also, that the duty may have been transferred from the one to the other officer. But, on the one hand, the entire appellation *γραμματεὺς κατὰ πρυτανείαν*, is not found earlier; on the other hand, the last assumption does not remove the whole difficulty. For there is still another, and, as it appears to me, decisive reason for my representation of the subject. I have, namely, in another place,<sup>1</sup> shown that the secretary whose name stands in the commencement of decrees, as that of the secretary of the prytania, was, before the archonship of Euclid, charged with the publication or inscribing of the decrees, but that the officer who had the charge of this publication was called, before the archonship of Euclid, expressly *γραμματεὺς τῆς βουλῆς*. Indeed, in the very formula which is frequent in the decrees passed before the archonship of Euclid, namely, “under the council” to which this or that one “was principal secretary” *ἐπὶ τῆς βουλῆς, ἣ ὁ δεινὰ πρῶτος ἐγραμμάτευε*), it is indicated, that at that time the secretary of the prytania was the principal and proper secretary of the council (*γραμματεὺς τῆς βουλῆς*). For the first secretary of the prytania is designated by this formula, not merely as the secretary of the prytania, but as secretary of the council in the first prytania. If it be assumed, therefore, that until, at the earliest, Olymp. 114, 3 (B. C. 322), the secretary, according to the prytania, was called secretary of the council, the law of Timocrates must certainly be considered, if not entirely spurious, yet as having been introduced from a later digest adapted to the altered circumstances of the time; but with regard to the inscription relating to the building of the walls of the city, either this memorial, and the administration of Habron, must be dated later than Olymp. 114, 3 (B. C. 322), or it must be supposed that in Olymp. 113 and 114 (B. C. 328 and 324), the appellation fluctuated, as in a period of transition. So much respecting the secretary of the prytania, who was selected in the council by lot.

<sup>1</sup> See Beilage XXI. at the conclusion.



The two other secretaries of the state were, according to Pollux, elected. One was, according to him, elected by the council by cheirotonia, and indeed for the laws. By this hardly any thing else can be understood, than the keeping, showing, and, when required, delivering of the laws. As this duty was entirely independent of the change of the prytaniæ, it may with probability be assumed that this was an annual office. In fact we find an annual secretary mentioned in a tolerably late inscription, which stood upon a memorial, dedicated by the individual himself, on account of his obtaining this office.<sup>1</sup> This is a proof that the office to which reference is here made was not one of little consequence. But this secretary had obtained his office by lot. It appears to me, however, that we need not hesitate to assume that the method of appointment was changed. So, for instance, the controller of the council was, in the earlier periods of the state, elected, in later periods, designated by lot.<sup>2</sup> I do not know the name of the secretary, who erected the above-mentioned memorial. That he was a senator seems unquestionable. If his office was annual, he could not have been the secretary of the senators (*γραμματεὺς τῶν βουλευτῶν*), who in the inscriptions of the later periods of the Roman Empire,<sup>3</sup> is constantly mentioned as one of the prytaneis, and, consequently, was changed with the prytania. But he may have been substituted in the place of an earlier annual secretary.

The second of the elective secretaries was chosen by the people. He read, as Pollux says, to the council and people. Thucydides,<sup>4</sup> represents the secretary of the state (*ὁ γραμματεὺς ὁ τῆς πόλεως*) as reading despatches in the assembly of the people. This is also one of those intended by Pollux. The state was "the council, and the people." If we find, therefore, about

<sup>1</sup> Ephem. Archæol. No. 568: . . . [Π]αλληνεὺς λαχὼν γραμματεὺς|| . . . [τὸν ἐπὶ] . . . *δοσ ἄρχοντος ἐνιαυτὸν ἀνέθηκεν*. The form of the letters suggests an age a little preceding the Christian era. What Rangabé, Antt. Hell. Nos. 114 and 250, says of an annual secretary of the epistatæ of the council, is founded upon his assumption, that the epistatæ of the public buildings were epistatæ of the council. On the other hand, that in the above-cited inscription an annual secretary is meant, seems to me to be undeniable.

<sup>2</sup> Pollux, VIII. 98.

<sup>3</sup> See C. I. Gr. No. 190, and also the inscription discovered at a later period, and published in the *Bulletino dell. Inst. di corr. arch.* Vol. XXII. p. 37.

<sup>4</sup> VII. 10.

Olymp. 127 B. C. 272), at the end of a list of prytaneis, a secretary for the council and the people (γραμματεὺς τῇ βουλῇ καὶ τῷ δήμῳ)<sup>1</sup> mentioned, this was only another appellation for the secretary of the state. In the inscriptions of the time of the Roman Empire<sup>2</sup> also, the secretary of the council and of the people (γραμματεὺς τῆς βουλῆς καὶ τοῦ δήμου) is mentioned in the lists of the prytaneis, and indeed, in the examples that are extant, among the *æisiti*. It was not necessary that he should be a prytanis,<sup>3</sup> but he was doubtless a senator. The term of his office is not known: he may, however, have been changed with each prytania.<sup>4</sup>

To increase the difficulties, we meet still in the same age, in which the secretary for the council and people is mentioned, with a secretary of the people (γραμματεὺς τοῦ δήμου). To him in Olymp. 118, 2 (B. C. 307) and about Olymp. 128 (B. C. 268), was assigned the duty of publishing the decrees of the people,<sup>5</sup> which at other times in the same age is represented to have belonged to the secretary according to the prytania. Probably this is only an abbreviated expression to denote the secretary of the council and people. But why the ordinary duty of the secretary of the prytaniae was ascribed to him I know not; for he could not have been the same with this secretary of the council.

Finally, in the lists of the prytaneis of the later periods of the Roman Empire,<sup>6</sup> there is mentioned, beside these, also a subordinate secretary of the council (ὑπογραμματεὺς) among the *æisiti*.

<sup>1</sup> C. I. Gr. No. 183. The determination of the date of this inscription is founded upon the fact, that in it Amynomachus, the son of Philocrates of Bate, is mentioned. In column II. line 9, namely, Βατῆθεν is to be read. He survived Epicurus, and was appointed by the latter his heir (Diog. L. X. 16, comp. Cic. de fin. II. 31). Epicurus died Olymp. 127, 2 (B. C. 271). A decree composed by this Amynomachus in the archonship of Olbios is found in Ephem. Archæol. No. 369. Curtius, Inscr. Att. No. 1.

<sup>2</sup> See C. I. Gr. No. 190.

<sup>3</sup> No. 196 b. In this he is not represented to have been a prytanis, any more than in the other inscriptions.

<sup>4</sup> In Lex. Seg. p. 185, 4, we find as follows: Γραμματεὺς, ὁ ἀναγνώσκων τῇ βουλῇ καὶ τῷ δήμῳ τὰ προσηταγμένα. κατὰ χρόνους ἡλλάσσετο. If this remark had been made by one who was well informed, it might have been an evidence that the secretary of the council and people was actually changed with every prytania.

<sup>5</sup> Decree of the people in honor of Lycurgus in the Appendix to the Lives of the Ten Orators; in honor of Zeno in Diog. L. VII. 11; a third, Ephem. Archæol. No. 51, in which the same *πρ. τοῦ δήμου* is mentioned, of the same or nearly the same age.

<sup>6</sup> See C. I. Gr. No. 190.

He was probably annually elected, and was not a senator. There were many such subordinate secretaries even in the more ancient periods of Athens, who officiated, some for the higher, and others for the lower and subordinate officers of the government.<sup>1</sup>

Different from all these secretaries were the controllers, I mean the principal of this class of officers, since I have already treated of the ordinary controllers. Of these there were two, one of the council, and another of the administration.<sup>2</sup> The passages of the grammarians respecting them are very obscure. Aristotle had treated in his work upon the Athenian State, of the controller of the council (*ἀντιγραφεὺς τῆς βουλῆς*). Beside the references to him, which amount to nothing in some passages,<sup>3</sup> the account of Pollux that the controller was originally elected by cheirotomia, but in later times designated by lot, is to be referred to this one. According to the grammarians, he wrote all that occurred in the council in a register of control. He conducted, therefore, the control of all transactions. He was, undoubtedly, a senator. In the inscriptions of the later periods of the Roman

<sup>1</sup> Antiph. π. τοῦ χορευτ. p. 792, near the commencement; Demosth. concern. the Crown, p. 314, 7, ὑπογραμματεύειν καὶ ὑπηρετεῖν τοῖς ἀρχιδόοις; Lysias ag. Nicom. p. 864, three times; Æschines de Fals. Leg. p. 363, 17; p. 419, 23. Record of accounts in Rang. Ant. Hell. N. 56, A; 57, B.

<sup>2</sup> Harpocr. on the word ἀντιγραφεὺς: ὁ καθιστάμενος ἐπὶ τῶν καταβαλλόντων τινὰ τῇ πόλει χρήματα, ὥστε ἀντιγράφεσθαι ταῦτα. Δημοσθένης ἐν τῷ κατὰ Ἀνδροτίωνος (a passage which has nothing to do with this subject, but has reference to subordinate controllers) καὶ Αἰσχίνης ἐν τῷ κατὰ Κτησιφῶντος· διττοὶ δὲ ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος· ὁ δὲ τῆς βουλῆς, ὡς Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ. The whole passage is also found in Suidas. Pollux, VIII. 98: ἀντιγραφεὺς πρότερον μὲν αἰρετός, αὐθις δὲ κληρωτός ἦν, καὶ πάντα ἀντεγράφετο παρακαθήμενος τῇ βουλῇ. δύο δ' ἦσαν, ὁ μὲν τῆς βουλῆς, ὁ δὲ τῆς διοικήσεως. With regard to what follows this, namely: λογισταί· καὶ τοὺτους κληροὶ ἢ βουλευτὴ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς διοικοῦσι, after repeated deliberation I can consider it, as Bekker gives it in his edition, only as a new article respecting the logistæ. Only one of the controllers (that of the council) was in the later periods κληρωτός, not both. See also what is said of this passage on a subsequent page, when treating of the logistæ. In Lex. Seg. the ἀντιγραφῆ is barely generally mentioned among the κληρωταὶ ἀρχαί.

<sup>3</sup> Suidas on the word γραμματεὺς, Lex. Seg. p. 185, 16. Schol. Aristoph. Knights, 1253. The obscure passage of the scholiast is as follows: ἐπὶ δῆμον δὲ (ὁ γραμματεὺς) ὑπογραφεῖς ἐλέγετο· ὁ δὲ τοῦ βουλευτηρίου ἀντιγραφεὺς. δημοσίον δὲ γενομένον ἐγραφον ἀμφότεροι τὰ λεγόμενα. These words, which convey no sense, Kühn on Pollux, VIII. 98, seeks to correct. But his correction gives as little sense. The ὑπογραφεὺς may have been the ὑπογραμματεὺς of the inscriptions. As the passage at present stands, secretary and controller are confounded. Comp. Petit. Leg. Att. III. 2, 28.

Empire<sup>1</sup> he is mentioned among the *æisiti*, and, according to the examples extant, he was not one of the *prytaneis*.

The controller of the administration (*ἀντιγραφεὺς τῆς διοικήσεως*), as the name itself shows, was intended for the control of the official business of the superintendent of the administration. Philochorus<sup>2</sup> has treated of this officer, and to him, after repeated deliberation, it appears to me, in consequence of the position of the statements in Harpocration, the account is to be referred, that, when money was deposited on account of the state, he was employed, in behalf of the payer, to enter the transaction in the register of control. The expression for this, however, is very indirect, since this depositing of money took place not in the office of the superintendent of the administration, but in that of the *apodectæ*, although the controller perhaps may have been in such cases also required to be present in the discharge of his official duties. *Æschines*<sup>3</sup> says, that the state had, in earlier periods, a controller elected by *cheirotomia*, who gave an account of the revenues to the people in every *prytania*, until this office also was combined with that of the superintendents of the *theorica*, and, consequently, the duties of the *apodectæ* and of controller were united in one board of officers. As all the revenues were received in the council, I formerly thought that this was said of the controller of the council. Since, however, the superintendent of the administration kept an account of all moneys received, and since it is inconceivable that the duties of the office of controller of the council could be performed by the superintendents of the *theorica*, I am now convinced that what *Æschines* says is to be understood of the controller of the administration.

<sup>1</sup> See C. I. Gr. No. 190.

<sup>2</sup> Philochorus in Harpocr. on the word *ἀντιγραφεὺς*, and from him Suidas. Comp. also, Pollux, VIII. 98.

<sup>3</sup> Ag. Ctesiphon, p. 417. Comp. Ulpian on Demosth. ag. Androt. as above cited. In the passage of *Æschines* *ἐν τῇ πόλει* are to be connected together, not *χειροτονητὸς τῇ πόλει*, as is supposed by some one; although there is no doubt that the controller of the administration was chosen by the people. Since *Æschines* says that there was formerly a controller elected by *cheirotomia*, it might be supposed that Pollux had, in part, taken what he says respecting the controller of the council from him, namely, that this officer was in the earlier periods of the state elected by *cheirotomia*, and in later times designated by lot. But then he would have certainly referred to *Æschines* for the first part of his statement, and that conjecture, therefore, is improbable.



All the secretaries and controllers probably, but certainly the subordinate secretaries, could not officiate for the same authorities twice,<sup>1</sup> that is, two years in succession, but were changed every year. This is not to be extended to associate or assistant secretaries (*συγγραμματεῖς*), who aided others in the performance of their duties.<sup>2</sup> In the time of the twelve tribes a special *ἀραγραφεὺς* is mentioned, whose duty it was to attend to the recording of official papers and documents (*αραγραφή τῶν γραμμάτων*). He was, undoubtedly, a senator.<sup>3</sup>

By means of the accounts of the secretaries and the registers of the controllers, the customary audit of accounts, which was required upon going out of office, was rendered possible. It is in the nature of a democracy, that every officer of the state should be responsible. Among the distinguishing marks of the officer of a democratic state responsibility is not the least, while in the aristocratic and oligarchic states of antiquity, as in Sparta and Crete, for example, the highest authorities, namely, those which were truly aristocratic and oligarchic, were not responsible. Hence accountability in Athens was widely extended. No one who had any part at all in the government, or administration of the affairs of the state, was exempt from it. The council of the five hundred, even the Areopagus, at least after the loss of its higher power, were bound to render their account. Even the priests and priestesses all of them had to give an account of the presents (*γέλα*) which they had received. Even the sacerdotal families, as the Eumolpides and Cerycees, for example, and also the trierarchs, although they always expended their own money, were required to render account. No one who was

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<sup>1</sup> This is evidently the meaning of the law recited in Lysias ag. Nicom. p. 864, near the end: *ὑπογραμματεῦσαι οὐκ ἔξεστι δις τὸν αὐτὸν τῇ ἀρχῇ τῇ αὐτῇ*, although the expression is somewhat singular. But from the connection I think that it must be understood as I have mentioned. Demosthenes de Fals. Leg. p. 419, says of the family of Æschines: *ὑπογραμματεύοντες δ' οὐτοὶ καὶ ὑπηρετοῦντες ἀπάσαις ταῖς ἀρχαῖς ἀργύριον εἰλήφεσαν, καὶ τὸ τελευταῖον ὑφ' ἡμῶν γραμματεῖς χειροτονηθέντες δύο ἔτη διετράφησαν ἐν τῇ θόλῳ, πρεσβεῶν δ' ἀπέσταλτο νῦν αὐτοὺς ἐκ ταύτης*. Comp. p. 365. Here is evidently mention made of secretaries who were annually elected by cheirotomia. But whether the two years are to be referred to one and the same person, and whether they were immediately successive years is not clear. Also, among these offices of secretaries that of the principal secretary of the state does not seem intended to have been included.

<sup>2</sup> See Beilage XX. No. XL. line 21, B. St. d. Ath. Vol. II.

<sup>3</sup> Ephem. Archæol. No. 32. Comp. Clarisse, Inscr. Gr. tres, No. 3.

liable to this duty could, until he had performed it, set out on a journey, dedicate his property, or even make a votive offering to a god, make his will, or cause himself to be adopted from one family into another. In a word the legislator had constituted a lien upon the entire property of the person liable to render account, until he had performed that duty.<sup>1</sup> Nor could any honor or reward, as, for example, a garland, be bestowed upon such person.<sup>2</sup> The judges alone were not liable to this obligation.<sup>3</sup>

Those officers who were employed in auditing the accounts in reference to pecuniary matters, were called, according to Aristotle, in some of the Greek States,<sup>4</sup> *εὐδυνοί*, in others *λογισταί*, *ἑξισταί*, or *συνήγοροι*. In Athens all accounts, with the exception of those of the generals,<sup>5</sup> were rendered to the logistæ and euthyni.<sup>6</sup> Both authorities, before and after the archonship of Euclid, existed together at the same time.<sup>7</sup> Their name itself shows that the logistæ were auditors of accounts. The euthyni were in immediate connection with them, and indeed by no means in such a manner as some believe, namely, so that the logistæ attended to the pecuniary accounts, but the euthyni to the manner in which the other duties of the office were performed, to the official arrangements and regulations which had been made, but both were engaged with both. The auditing of the pecuniary accounts, however, must have been from the nature of the case

<sup>1</sup> Æsch. ag. Ctesiph. p. 405 sqq.

<sup>2</sup> Æsch. and Demosth. conc. the Crown.

<sup>3</sup> Aristoph. Wasps, 585. Comp. Hudtwaleker, v. d. Diätet. p. 32.

<sup>4</sup> Polit. VI. in the last Chap.

<sup>5</sup> Pollux, VIII. 88. According to this passage, the thesmothetæ brought the *εὐδυναι* of the generals before the proper legal tribunal.

<sup>6</sup> Respecting the logistæ and euthyni, see also my Abhandlung im Rhein. Museum of the year 1827, Bd. 1, Abth. f. Philol. Gesch. und Philos. p. 58 sqq. The inscriptions mentioned in it p. 72, namely, C. I. Gr. No. 202, do not belong to the investigation of this subject, since they are Tenian (C. I. Gr. Vol. II. p. 250).

<sup>7</sup> The logistæ were mentioned before the archonship of Euclid, in the decree of the people, passed upon the proposal of Patroclides, and recited in Andocides, in the documents in Beilage III. C. I. Gr. No. 149, and in that of the date Olymp. 88, 3 (B. C. 426) sqq., which I have communicated in the publications of the Academy of the year 1846. They are often mentioned, after the archonship of Euclid, in the orators. Euthyni are mentioned, before the archonship of Euclid, in C. I. Gr. No. 70, and in the decree of the people passed upon the proposal of Patroclides, after the archonship of Euclid, in C. I. Gr. No. 88, and in the Seurkunden, No. XIV.

the principal part of the business of these officers; and the account rendered respecting the performance of official duties, with which no pecuniary transactions were connected, consisted, in the first place, briefly in the mere declaration, that no moneys had been received or expended.<sup>1</sup> A further account in such cases appears not to have been required, except in consequence of a formal accusation.<sup>2</sup> Both kinds of officers were obliged by law to give notice, that they were ready to render account, and to deliver their account or declaration "to the secretary and the logistæ" (*λόγον καὶ εὐθύνας ἐγγράσσειν πρὸς τὸν γραμματέα καὶ τοὺς λογιστάς*). Since the secretary is first mentioned, it is very doubtful whether the secretary of the logistæ, and not rather a higher one is meant.<sup>3</sup> The logistæ in all cases summoned by a herald complainants, if any, to present their accusations; allowed any person who wished to bring an accusation against the person who was liable to render an account; and brought suits, when necessary, before the proper tribunal.<sup>4</sup> The decree of the people in Andocides gives a striking proof of the immediate connection of the euthyni with the logistæ in receiving the accounts rendered. In this mention is made of persons whose accounts were found in the logisteria insufficient by the euthyni or paredri, and in such a condition as to justify the bringing of an accusation against them.<sup>5</sup> We also often read of *εὐθύνα* in reference to the logistæ, and of *λογισμὸς* in reference to the euthyni; and the etymologist<sup>6</sup> says, that in his time those officers were called logistæ who were previously named euthyni.

<sup>1</sup> Æschin. ag. Ctesiph. p. 414.

<sup>2</sup> Schömann, Antt. jur. publ. Gr. p. 240.

<sup>3</sup> Comp. Bekker's Scholiasts (edition of the speeches concern. the Crown of the year 1815), p. 250. On the other hand, another scholium immediately succeeding this says: *λογιστῆς ἐκάστης φυλῆς εἷς. γραμματέα δὲ ἕκαστοι εἶχον. λέγει οὖν νῦν τὸν τῶν λογιστῶν.* No one will consider this an historical evidence.

<sup>4</sup> Æsch. ag. Ctesiph. p. 403-408; Demosth. π. παραπρ. p. 406, near the end; concern. the Crown, p. 266, 9. Respecting the bringing suits before the proper tribunal, more in the immediate sequel.

<sup>5</sup> Concern. the Myst. p. 37, *ὅσων εὐθύναι τινές εἰσι κατεγνωσμένοι ἐν τοῖς λογιστηρίοις* (comp. Lysias ag. Polystr. p. 672) *ὑπὸ τῶν εὐθύνων ἢ τῶν παρέδρων.* Instead of *ἢ καὶ* is probably to be read, as in C. I. Gr. No. 88, and Securkunde XIV. p. 466.

<sup>6</sup> On the word *εὐθύναι*. From him Photius and Zonaras took it. In the latter read: *Νόμων δωδεκάτω.* In the Schol. Aristoph. Acharn. 720, the remark is found: *ἀγορανόμους δέ, οὓς νῦν λογιστὰς καλοῦμεν*, and so the schol. on vs. 896 uses the word. Meier in his Att. Process, p. 89, gives more information upon this usage.

Aristotle had given the distinction between them in his treatise upon the political constitution of the Athenians;<sup>1</sup> but the grammarians have not chosen to explain themselves with precision in reference to that point. In the first place, it is now established, that a long period prior to the archonship of Euclid, there was a board of *logistæ*, who were also called the *thirty*, and who had the charge of the whole accounting business of the state.<sup>2</sup> The number of them was in later times diminished. To this later period the accounts of the grammarians refer. Their principal authority was Aristotle. According to Harpocration,<sup>3</sup> there were ten *logistæ*, to whom account was rendered within thirty days after going out of office. The number of the *euthyni*, to whom the same account was rendered, was the same. All agree that the number, both of the *logistæ*, and of the *euthyni*, was ten;<sup>4</sup> and even Aristotle attests the same in his treatise on the Political Constitution of the Athenians.<sup>5</sup>

Pollux in his work, in its present form, mentions a distinction between them in respect to the manner of their appointment. He asserts, namely, that the council designated the *logistæ* by lot, to attend upon the administrative officers of the government, as he expresses it, that is, to take cognizance of their proceedings, but that the *euthyni* were added to them, like the asso-

<sup>1</sup> Harpocr. on the word *λογισταί*. The passage of Harpocr. has been transcribed by later writers, as Suidas, Photius, Schol. Demosth. p. 61, and p. 74, Reisk., and Schol. Æsch. p. 249, in Bekker's edition of the speech concerning the Crown, of the year 1815. But the remark in reference to Aristotle is omitted.

<sup>2</sup> See Abschn. II. der allgem. Bemerkungen zu den Tributlisten in Bd. II. der St. d. Athen.

<sup>3</sup> On the words *λογισταί*, and *εὐθύναι*, and from him Suid. and Phot. on the same; also Lex. Seg. p. 245, 276, and others. *Εὐθύνος* and *εὐθύνης* (in the plural *εὐθύναι* and *εὐθύναι*), are used of the person. The expression for the thing is *ἡ εὐθύναι*, (law in Demosth. ag. Timocr. p. 717, 19, in which the accenting of the word *εὐθύναι* or *εὐθύναι* is incorrect,) in the plural *εὐθύναι*: also *ἡ εὐθύνη*, which the grammarians cite as the ordinary form, but which may depend upon the later usage. Götting upon Aristot. Polit. p. 359, is of a different opinion.

<sup>4</sup> Beside Harpocr., and those who have copied from him, Etym. on the word *εὐθύναι*; and Pollux, VIII. 99, Petit, III. 26, infers, that there were two more *logistæ* than the number which I have mentioned. But these two others, whom he considers *logistæ*, are the two controllers.

<sup>5</sup> In the Rhetorical Dictionary appended to the English edition of Photius, p. 672: *λογισταὶ δὲ αἰροῦνται δέκα*. Here *αἰροῦνται* is not the correct expression.



ciates of the nine archons.<sup>1</sup> This is, however, certainly false, and appears to depend upon a corrupt reading. To this I will hereafter return, for it is not credible that the euthyni, who were not associate officers but an independent board, should be merely added as associates; that is, taken by a certain board of officers, according to their pleasure, as assistants. As the logistæ, so were also the euthyni, designated by lot, one from each tribe.<sup>2</sup> They were both thus designated, like other magistrates, and not, as Pollux says, the logistæ by the council.

But the distinction in reference to their business may be determined with great probability. The logistæ were the principal persons in the auditing board, and to them, as has been said, were the accounts which were to be investigated rendered. They also, as the accountants of the state, at least before the time of Euclid, ascertained the amounts of its debts, cast interest, and performed other duties of the same nature.<sup>3</sup> But at the same time with the account (*λογισμὸς* or *λόγος*), and also afterwards, when a complaint was entered, (which could be done, however, only within a definite period,<sup>4</sup> namely, within those thirty days after going out of office,) the address of the accuser, and the answer, and defence of the accused (*εὐθυνα*),<sup>5</sup> were required to be delivered and made respecting all the transactions of the official term. But the investigation of many points was difficult and comprised many particulars. For this the euthyni were designed

<sup>1</sup> Pollux, VIII. 99, 100. In the first passage we should read with Bekker: *λογισταί· καὶ τούτους ἡ βουλὴ κληροὶ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς διοικοῦσιν*. Commonly in it the *ἀντιγραφεῖς* and *λογισταὶ* are confounded together, and this has been transferred to the Schol. Æsch. Reisk. Bd. III. p. 739. The singular expression *παρακολουθεῖν τοῖς διοικοῦσι* is tolerably suitable for the logistæ. Gottfr. Hermann, on the contrary, has referred these words to the controllers, and I have, in the Abh. über die Logisten, p. 82, too compliantly followed him.

<sup>2</sup> Respecting this manner of designating the logistæ, see, beside Pollux, the Etym. M. on the word *λογισταί*, Lex. Seg. p. 276, 17. Respecting the same in reference to the euthyni, see Photius on the word *εὐθυνος*.

<sup>3</sup> Beilage III. § 4. Document of the date Olymp. 88, 3 (B. C. 426) sqq., of which I have treated in the publications of the Academy of the year 1846, together with the general remarks respecting the inscriptions which contain the lists of the tributes Abschn. II. St. d. Ath. Bd. II.

<sup>4</sup> Pollux, VIII. 45.

<sup>5</sup> *Λόγος* and *εὐθυνα* are commonly united, but at the same time distinguished, as in Beilage III. § 8; C. I. Gr. Nos. 108, 214; Æsch. ag. Ctesiph. p. 397, 403; and in general.

as may be inferred from the name itself. It was the duty of the euthyni to cause the balance of moneys, if any, in the possession of the person rendering account to be produced to them.<sup>1</sup> They examined, of course, all matters of fact relating to all official transactions, inventories, vouchers, and all particulars; and they, together with their associates, could decide that the account rendered was unsatisfactory, that money or valuables were missing, or had been embezzled, presents had been received, or other similar offences committed. They could then immediately collect the money which was missing,<sup>2</sup> in case no crime had been perpetrated. If the person who had been declared indebted by them did not pay the amount due, or a crime had been exposed, the matter was brought before the proper tribunal, the same as if some one else had presented himself as a special accuser.<sup>3</sup> In such cases the euthyni were obliged either to be-

<sup>1</sup> C. I. Gr. No. 70, in a very ancient inscription relating to the affairs of the Scambonidae, from the form of an oath: *καὶ τὰ κοινὰ τῶν Σκαμβωνιδῶν σωῶ; καὶ ἀποδώσω παρὰ τὸν εὐθύνον τὸ καθήκον*; and after this form: *ὅτι ἂν τῶν κοινῶν μὴ ἀποδιδῶσιν παρὰ τὸν εὐθύνον*.

<sup>2</sup> To this the words of Pollux, VIII. 99, are to be referred: *εἰσπράσσουσι καὶ τοὺς ἔχοντας* (see more respecting this passage further on), and Schol. Plat. p. 459. Bekker: *ἐκπράσσει δὲ ὁ εὐθύνος ὅσα ἐπὶ τῆς ἀρχῆς, ἣ προστέτακται ὠφλόν τινες εἰς τὸ δημόσιον*.

<sup>3</sup> In the archonship of Alexias, Olymp. 93, 4 (B. C. 405), by a decree of the people passed upon the proposal of Patroclides, their debts reckoned to the end of the preceding year, (Olymp. 93, 3, B. C. 406, in the archonship of Callias,) were remitted to the public debtors, and those who on account of these debts had been deprived of their civil rights and privileges were restored to the same. It was also directed by this decree that those persons should be pardoned, *ὅσων εὐθύναι τινές εἰσι κατεγνωσμένοι ἐν τοῖς λογιστηρίοις ὑπὸ τῶν εὐθύνων ἢ* (rather *καὶ*) *τῶν παρέδρων, ἢ μήπω εἰσηγμένοι εἰς τὸ δικαστήριον γραφαί τινες εἰσι περὶ τῶν εὐθύνων*, with the addition of the period of time to which the pardon should be confined, *εἰς τὸν αὐτὸν τοῦτον χρόνον*. For the understanding of this passage I remark as follows. Not only the public debt, and the atimia, to which the guilty individuals were subject as a punishment already adjudged, were remitted, but it was at the same time directed that also the accusations against public officers, upon whom, prior to the date of limitation, claims had been made by reason of false accounts, should be withdrawn, that is, that the processes which were not yet adjudicated, but which were still pending, should be quashed. These were of two kinds. In the first the euthyni or their associates, in the investigation of the accounts, had declared certain officers guilty of some offence, and ordered process of purgation to be commenced against them (*εὐθύναι κατεγνωσμένοι ἐν τοῖς λογιστηρίοις*). But since these causes could be decided only by a legal tribunal, these persons had not yet been condemned to any punishment. Or a complainant had brought an accusation in reference to those accounts against the public officers who had rendered them, but the accusations had not yet been brought before the proper legal tribunal (*γραφαί περὶ τῶν εὐθύνων μήπω εἰσηγ-*

come accusers themselves, or to provide accusers. The accusations which were thus made, (themselves called *εὔθυνα*),<sup>1</sup> were transferred to the chief auditing board, the logistæ. They brought the suit before the proper legal tribunal, as has been already remarked, and appointed, at least as some of the grammarians assert, the judges, who should decide the cause.<sup>2</sup> These were, as a general rule, in number 501.<sup>3</sup>

Every euthynus had several assistants (*παρέδροι*). These are mentioned in the decree of Patroclides, contained in Andocides, which was enacted before the archonship of Euclid, and in two public documents, from which it may clearly be perceived that each euthynus, individually, had several assistants associated with him.<sup>4</sup> Photius<sup>5</sup> informs us, that they each had two. Prob-

*μέναι εἰς τὸ δικαστήριον*). Both kinds were to be quashed. The first cases also were such as had not yet been brought before the proper legal tribunal. This would be understood of course, and, therefore, was not said. But they were rendered specially prominent, because the accused in those cases had already the prejudgment of a board of officers against them, and appeared more burdened, therefore, than the others. Allusion is made to such a case in the decree of the date Olymp. 113, 4 (B. C. 325). Seeurkunde, No. XIV. p. 466. That decree directed that a fine of ten thousand drachmas should be imposed upon every person, whether public officer, or private citizen, (namely liable to render account, as for example the trierarchs were private persons liable to render account,) who should not do what was commanded in the decree of the people. But it further directed that the euthynus, and his associates, should necessarily *decide against the disobedient person*, or themselves become liable. Not as though they were judges, but they were bound to declare the disobedient person guilty, and, if he did not previously pay what was due from him, to bring an accusation against him, as the state attorney does in similar cases at the present day. The inquiry may still be made, why in the decree of Patroclides those were not also mentioned against whom suits had been brought in reference to transactions of the period terminated by the end of the previous year, but which were not decided. But such cases could not have existed, because when the suit was once brought before the proper legal tribunal, the decision was immediately made, and it could not be delayed by exceptions or intervening process.

<sup>1</sup> Pollux, ut sup.

<sup>2</sup> See above, the passages cited from the orators, and in addition Ulpian on Demosth. π. παραρ. p. 246 (Par.); Schol. Æsch. p. 250 in Bekker's edition of the speeches concern. the Crown of the year 1815; Suidas in the word *εὐθύνῃ*; Lex. Rhet. Seg. p. 245; also Lex. Seg. p. 310, 6; Etym. M. on the word *εὐθύναι*; and Photius on the word *εὐθυνα*. Comp. Petit. as above cited.

<sup>3</sup> Aristot. in his treatise on the Political Constitution of the Athenians, according to the Rhetorical Dictionary in the Appendix to the English edition of Photius, p. 672.

<sup>4</sup> C. I. Gr. No. 88, and Seeurkunde XIV. p. 466. From the latter passage it is highly probable that also in the first a euthynus of the state with his assistants is meant, although a matter relating to a demus is the subject of the same.

<sup>5</sup> *Εὐθυνος· ἀρχὴ ἦν τις. ἐξ ἐκάστης δὲ φυλῆς ἓνα κληροῦσι, τούτῳ δὲ δύο παρέδρους.* Let no one be misled on account of the assistants also appearing from this passage to



ably all the assistants of the public officers, like those of the highest archons,<sup>1</sup> were appointed by the officers themselves, without the intervention of the state, subject to the reservation that they should be examined and approved (*δογμασίαι*), and should be liable to render account. It is also probable that what is asserted of the euthyni by Pollux, according to the present text, namely, that they were appointed in the same manner as the assistants of the nine archons, is to be understood of the assistants of the euthyni.<sup>2</sup> The euthyni and their assistants seem also to have had cognizance of the accounts rendered by the officers of the districts (*δῆμοι*).<sup>3</sup> On account of the multiplicity of their business they divided it among them. We commonly find only one euthynus, either with or without his assistants, employed in one case.<sup>4</sup>

Finally, ten public attorneys (*συνήγοροι*), designated by lot,

have been designated by lot. The expression is rather to be considered as not precise. Hesychius on the word *εὐθύναι* mentions, from Aristotle, the assistants of the Archons. These have nothing in common with those of the euthyni, and the mention of them in the article on *εὐθύναι* is purely accidental.

<sup>1</sup> Pollux, VIII. 92. Aristot. in Harpocr. on the word *πάρεδρος*, and in Hesych. on the word *εὐθύναι*. This appointing on the part of the archons, Pollux calls *αἰρεῖσθαι*, Aristotle *λαμβάνειν*.

<sup>2</sup> The passage of Pollux, VIII. 99, at present reads as follows : *οἱ δὲ εὐθύναι, ὥςπερ οἱ πάρεδροι, τοῖς ἐννέα ἄρχουσι προσαγοῦνται. οὗτοι δ' εἰσπράσσουνσι καὶ τοὺς ἔχοντας*. In what manner the true reading is to be restored is not clear, but the sense must be that which is above expressed. In the first place *τοῖς ἐννέα ἄρχουσι* do not belong to *πάρεδροι*, but the punctuation should be as follows : *ὥςπερ οἱ πάρεδροι τοῖς ἐννέα ἄρχουσι, προσαγοῦνται*. In that case, moreover, *προσαγοῦνται* is much rather of the middle voice, as VIII. 92, and in passages without number. Originally, the passage may, possibly, have stood somewhat as follows : *οἱ δὲ εὐθύναι ἦσαν δέκα κληρωτοί, καὶ τούτων πάρεδροι, ὥςπερ οἱ πάρεδροι τοῖς ἐννέα ἄρχουσι, οὓς καὶ αὐτοὶ προσαγοῦνται. οὗτοι δ' εἰσπράσσουνσι καὶ τοὺς ἔχοντας τι τῶν δημοσίων*. The last words have already been added by others before me from Phavorinus. A trace of the assistants of the euthyni is also in the Schol. Plat. p. 459, Bekker. But they are there evidently confounded with the assistants of the archons.

<sup>3</sup> C. I. Gr. No. 70, 88.

<sup>4</sup> The same, and Seurkunde, No. XIV. p. 466. In No. 70, I read at present *παρὰ τὸν εὐθύνον*. (See C. I. Gr. Vol. I. p. 890.) In the Schol. Plat. p. 459, the assistants of the euthyni are evidently confounded with those of the archons. But he was treating particularly of the assistants of the euthyni, and he connected the logistæ with them; and what he says, namely, that each archon had a euthynus and a paredrus, may contain the truth that a particular euthynus with his assistants was assigned to every authority rendering account.



assisted the board.<sup>1</sup> These are to be distinguished from those who were elected by cheirotonia.<sup>2</sup> They probably supported the accusation before the legal tribunal by speeches to the court. I will add, that he who neglected to render account could be prosecuted in a special action (*δίκη ἀλογίου*).<sup>3</sup>

There was, therefore, no lack in Athens of laudable and strict regulations in reference to the accountability of its public officers. But of what benefit are all measures of precaution, when the spirit of the administration is corrupt? But in Athens it was corrupt. Men have at all times been unjust, avaricious, and unconscientious, and the Greeks especially so. Selfish and self-seeking, they indulged themselves in every thing which contributed to the gratification of their senses. He who observes them without prejudice, and not prepossessed by their eminent intellectual endowments, finds, if he is capable of a moral judgment, a loose and dissolute private life; in the state a tissue of complicated passions, and depraved inclinations; and what is the worst, in the disposition of the people a hardness, coarseness, and lack of moral feeling, in a higher degree than is found at present in the Christian world. The noble exhibitions of character, presented among them, have passed away, and will never again appear in such surpassing beauty. But the moral principles of the masses have been elevated, although there were some noble spirits of antiquity, who were as pure as the most estimable of modern times. In this consists the progress of hu-

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<sup>1</sup> Lex. Seg. p. 301; Rhetor. Dictionary appended to the Engl. edition of Photius, from Aristotle's Treatise on the Political Constitution of the Athenians. Respecting the *κληρωτοὶ συνηγόροι* comp. also the Schol. on Aristoph. Wasps, 689, from Aristotle. The supposition that these were the same with the euthyni is the less admissible, since Aristotle also mentions the euthyni themselves, and has given the distinction between them and the logistæ (Harpocr. on the words *εὐθύναι* and *λογισταί*.)

<sup>2</sup> Schömann de Comit. p. 108.

<sup>3</sup> Suid., Hesych., Etym., on the phrase *ἀλογίου δίκη*; Lex. Rhet. in the Engl. edition of Photius, p. 664; Pollux, VIII. 54. I will incidentally remark that "to find the account correct" is designated by the expression "*τὰς εὐθύνας ἐπισημαίνεσθαι*"; Demosth. concern. the Crown, p. 321, 21. *Ἐπισημαίνεσθαι*, in general, means to approve, *ἐπαινεῖν* (comp. Æsch. π. παραπρ. p. 230, Harpocr. on the word *ἐπισημαίνεσθαι*, and from him Suidas and Zonar. p. 848; comp. p. 830, and the note of the editor), because what is subscribed and sealed, is approved by him to whom the decision of the matter belongs. It is possible, however, that to the account, after it had been found to be correct by the proper authority, the sealed certificate of its correctness was annexed by the same, so that *ἐπισημαίνεσθαι τὰς εὐθύνας* may designate the approval given by such sealing.

manity. When we consider what were the moral principles of the Greeks, as they are sufficiently exhibited in their historians and philosophers, it cannot surprise us that deception in affairs of state was of ordinary occurrence. Aristides, the contemporary of Themistocles, even in his time, complained of this. It was generally thought that to practise deception in that particular, was, as it were, a private right; and he who was too strict, became the subject of evil reports.<sup>1</sup> Everywhere we read of moneys embezzled, and of the purloining of the public property by the public officers. Even that which was sacred was not inviolable. There was at least an ancient period in the Roman State, in which truth and honesty prevailed. Among the Greeks such a period will in vain be sought. An oath bound the former, so that they handled large sums of money without embezzlement. "But when in Greece," says the truth-loving Greek, Polybius,<sup>2</sup> "the state intrusts one with but a talent, and it has ten controllers, and the same number of seals, and twice as many witnesses, it cannot insure fidelity."

The financial officers, therefore, were not unfrequently condemned to death, or to the loss of their property, or to imprisonment. Sometimes, to be sure, they were condemned unjustly, when money had been accidentally lost;<sup>3</sup> but even the *logistæ* sometimes basely allowed themselves to be bribed to aid the delinquent to escape punishment, to the disparagement of the just and innocent.<sup>4</sup> The great Pericles himself, therefore, could be suspected of being not free from embezzlement: so that the young Alcibiades could assert, that it would be better for him to consider how he might avoid rendering account, than how he should render it.<sup>5</sup> The comic authors who disparaged the former illustrious man, have undoubtedly exaggerated even in respect to him. For example, Aristophanes, in the *Clouds*, censures and ridicules an extract from the account rendered by Pericles, as military commander, although he was in this case

<sup>1</sup> Plutarch, *Aristid.* 4.

<sup>2</sup> VI. 56.

<sup>3</sup> Compare, for example, *Demosth. ag. Timoth.* p. 1187, 1197; *ag. Timocr.* p. 742 sqq.

<sup>4</sup> *Æsch. ag. Timarch.* p. 126.

<sup>5</sup> Plutarch, *Alcib.* 7; *Diod. XII.* 38.

entirely blameless. Namely, he had presented, as one item in his account, ten talents merely as *expended for necessary purposes*. But it was allowed by the auditing officers, because it was known that that sum had been employed in bribery, and because the names of the persons who had received the money could not be mentioned without giving offence to Pleistonax, the king of the Spartans, and to the harmostes Cleandridas.<sup>1</sup> Nevertheless, it was generally reported, that Pericles was in great perplexity with regard to the account which he had rendered. Before the commencement of the Peloponnesian war Phidias, the statuary, was involved by the crafty plotting of his enemies, as it appears, in an investigation upon a charge of embezzling gold.<sup>2</sup> But Pericles at that time relieved him and himself also from the charge. Many other prosecutions were commenced to annoy Pericles, and since there had long been dissatisfaction on account of his extravagance,<sup>3</sup> it was at last required that he should give an account of the manner in which he had employed the public money. The importance attributed to this transaction is clear, from the method of proceeding which it was proposed to pursue in the investigation. The account was to be given before the prytaneis. According to the decree of the people, passed upon the proposal of Dracontides, the judges were to give their ballots in the citadel from the altar. This was the most solemn manner of deciding a cause. Through the influence of Hagnon, this last regulation was annulled, and it was directed that fifteen hundred judges should give their verdict in the cause, of which it was uncertain whether the act charged in it was theft, or some other crime.<sup>4</sup> In order to quash this prosecution, by which he was in danger of becoming a sacrifice to party rage, and at the same time a victim, if not of unfaithfulness, yet perhaps of a transgression of the laws, or at

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<sup>1</sup> Aristoph. *Clouds*, 856, and the Schol.; and from him Suidas on the words and phrases *δέον*, *ἑφοροί*, *εἰς δέον*, *εἰς τὸ δέον*, *Lex. Seg.* p. 234. The Schol. on Aristoph. mentions twenty; Suidas, sometimes fifteen, sometimes fifty talents. I have followed the account of Plutarch (*Pericl.* 22, 23) as the more probable.

<sup>2</sup> Plutarch, *Pericl.* 31; Plato, *Gorg.* p. 516 A, alludes to this prosecution, which was aimed at Pericles. See Heindorf on the passage. The Schol. on Aristoph. as above cited, and Suidas, confound this with other matters.

<sup>3</sup> Plutarch, *Pericl.* 14.

<sup>4</sup> Plutarch as above, 32.

least of an inadvertence on his own part, Pericles is said to have lighted the torch of war.<sup>1</sup> A hard charge, but the probability of which becomes more conceivable, when we consider that there were several other occasions for it, with the above mentioned combined. In what passionate and unjust measures against each other will not political competitors, in a state rent by party spirit, engage? I beg pardon of the shade of the illustrious spirit, if I have raised a doubt in reference to his disinterestedness. He was above mercenary considerations, and evidently not to be bribed.<sup>2</sup> Demosthenes, also, certainly received no money to the prejudice of the state, and was not bribed by Harpalus. But he may not indeed have disdained to receive gold from the king of the Persians, when it might serve to encourage him in the prosecution of those plans which he found useful to his country. It appears probable to me, that he acted upon the same principle, which Themistocles adopted, but which Plato<sup>3</sup> rejected, namely, that presents might be received as an inducement to do good, not to do wrong.

The Athenians, also, as Hyperides says, readily allowed their generals and orators, not by law, but from a mild and benignant disposition, to advance their own interests, with this restriction only, that what they received should be acquired *through the state, not to the damage of the state*.<sup>4</sup>

In order that the accounts of the public officers might have as much publicity as possible, they were, like the decrees of the people, engraved on stone, and exposed to view. Thus, for example, Lyeurgus placed the account of his financial proceedings before the wrestling school which he had just built.<sup>5</sup> I

<sup>1</sup> Plutarch, Pericl. 31, 32; Diodor. XII. 38 sqq.; Aristoph. Peace, 604 sqq. and the Schol. Respecting the difficulty of ascertaining the dates, see Dodwell's Annal. Thuc. in the sixth year of the Pelop. war; Heyne, antiq. Aufs. St. I. p. 188 sqq.

<sup>2</sup> Thucyd. II. 60. χρημάτων κρίσεων, 65; χρημάτων διαφανῶς ἀδωρότατος. The first expression is put into the mouth of Pericles himself.

<sup>3</sup> Laws, XII. p. 955, C.

<sup>4</sup> Ποῦλα ἡμεῖς, ὡς ἄνδρες δικασταί, δίδοτε ἐκόντες τοῖς στρατηγοῖς καὶ τοῖς ῥήτορσιν ὠφελίσθαι, οὐ τῶν νόμων ἀπὸ τοῖς διδωκότων τοῦτο ποιεῖν, ἀλλὰ τῆς ἡμετέρας πραότητος καὶ φιλελευθερίας, ἐν μόνον ταπεινύλλοντες, ὅπως δι' ἡμᾶς καὶ μὴ καθ' ἡμῶν ἔσται τὸ λαμβανόμενον. Hyperides ag. Demosth., according to Sauppe's judicious connection of the fragments in Schneidewin's Philologus, Jahrg. III. p. 629, which indeed ought not to have escaped my observation.

<sup>5</sup> Life of Lyeurg., near the end, in the Lives of the Ten Orators.



have communicated fragments of such an account of the treasurer of the public revenues, and probably of that of Lycurgus himself, in the supplements to this work.<sup>1</sup> The treasurers of the goddess, and of the other deities, exposed to view, engraved on stone, lists of the votive offerings, of the vessels, and of the utensils for the use of the temple, which they had received and had delivered to their successors. A great number of these documents, more or less complete or mutilated, I have communicated in the supplements.<sup>2</sup> The treasurers were also required annually to publish in this manner their accounts of all their receipts and disbursements.<sup>3</sup> We still possess very considerable remains of such accounts, and a part of the same also have been communicated by me in the supplements. We have accounts of the treasurers, principally of disbursements, of the date Olymp. 86, 4 (B. C. 433), in reference to the expenses of the war with Corecra;<sup>4</sup> for Olymp. 88, 3-89, 2 (B. C. 426-423), together with the computation by the *logistæ* of the interest to be paid on the moneys belonging to the treasury;<sup>5</sup> for Olymp. 90, 3-91, 2 (B. C. 418-415);<sup>6</sup> probably for Olymp. 92, 1 (B. C. 412);<sup>7</sup> and 92, 2 (B. C. 411);<sup>8</sup> for Olymp. 92, 3 (B. C. 410);<sup>9</sup> also for 92, 4 (B. C. 409);<sup>10</sup> and 93, 1, 2 (B. C. 408-7),<sup>11</sup> so far as can be ascertained. Miscellaneous fragments of pecuniary accounts, together with a very remarkable fragment of a record of delivery of a special kind, are included in the eleventh supplement. There is a small fragment extant of a detailed computation of the amount in which the state was indebted to the

<sup>1</sup> VIII. and VIII. B, Vol. II. of the work in the original.

<sup>2</sup> No. X.-XIV.

<sup>3</sup> Beilage III. § 7, 8.

<sup>4</sup> I have treated of this in the "Abhandlung über zwei Rechnungsurkunden," *Schriften d. Akad. of the year 1846.*

<sup>5</sup> The same. To this the document, of which Rangabé has published a very small fragment in the *Revue Archéologique*, II. Annual Course, p. 324 (Paris, 1845), must have been very similar.

<sup>6</sup> Beilage, No. II.

<sup>7</sup> Beilage, No. V.

<sup>8</sup> Beilage, No. VI.

<sup>9</sup> Beilage, No. I.

<sup>10</sup> C. I. Gr. No. 148.

<sup>11</sup> C. I. Gr. No. 149. (Comp. respecting the more definite establishing of the date, what is said in Beil. No. V. VI.)

treasury in the citadel, and of the interest of said debt.<sup>1</sup> We have, besides, accounts of the receipts and disbursements of the superintendents of the public buildings;<sup>2</sup> for example, one relating to the building of the propylæa. The most complete and important is the one relating to the building of the temple of Minerva Polias, of the date Olymp. 93, 2 (B. C. 407).<sup>3</sup> I must decline communicating it, because it is too long. Of the Attic superintendents of the Delian temple, there are preserved both documents relating to the delivery of the sacred treasures,<sup>4</sup> and also accounts of receipts, disbursements, arrears, and of other financial matters.<sup>5</sup> I have despatched what I had to say in the supplements concerning the inventories and documents of the superintendents of the dock-yards, which related to the delivery of articles pertaining to their office, in three words. The lists, which relate to the tributes,<sup>6</sup> are numerous and ample.

The poletæ also exposed to public view, on stone tablets, lists of confiscated property (*δημιόπρατα*), after the sale. Tablets of that kind were placed either in the citadel, or those of them which related to persons who had been condemned on account of an offence against the Eleusinian goddesses, in Eleusis,<sup>7</sup> or elsewhere. The ninth supplement contains, very probably, a fragment of such a document. Another more remarkable one<sup>8</sup> is so imperfectly published, that I would not communicate it.

<sup>1</sup> C. I. Gr. No. 156. Comp. the Add. The fragment is of a date prior to the archonship of Euclid.

<sup>2</sup> Beilage, No. XVI. 1-3.

<sup>3</sup> Rangabé, *Antt. Hell.* No. 56 sqq.; Von Quast, *das Erechtheion zu Athen.* (Berlin, 1840); *Stephani Annali dell. Inst. di corrisp. Archeol.* Vol. XV. (1843), p. 287 sqq.; Fr. Thiersch, *über das Erechtheum auf der Akropolis zu Athen.* in den *Abhh. der Münchner Akad. d. Wiss. philos. Klasse*, V. Bd. III. Abth. *Tafel I.* Comp. also, Bergk, *Zeitschrift f. Alt. Wiss.* 1845, No. 24.

<sup>4</sup> Beilage, XV., and XV. B.

<sup>5</sup> Document of the date Olymp. 86, 3 (B. C. 434), published by me in a treatise upon an Attic document relating to the property of this temple (*Schriften d. Akad.* of the year 1834); and the documents in the Supplements VII. A, B.

<sup>6</sup> Beilage, XX.

<sup>7</sup> Pollux, X. 97; Casaub. on *Athen.* XI. p. 476, E; Hemst. on Pollux, X. 96.

<sup>8</sup> In Pittakis, *l'ancienne Athènes*, p. 38, treated by Rangabé, *Antt. Hell.* No. 348. The document seems to be of the date Olymp. 93, 4 (B. C. 405), and contains, among other things, an account of sales of portions of property which had belonged severally to Axiochus the son of Alcibiades of Scambonidae, to the well-known Adimantus the son of Leucolophides, and to Euphiletus the son of Timotheus of Cydathenæum.

A third, of the same kind,<sup>1</sup> is very much mutilated. The fifth fragment, in the eleventh supplement, is, as I conjecture, part of a fourth document, of a date prior to the archonship of Euclid. There are also extant fragments of catalogues of mines sold,<sup>2</sup> and of lists of taxes paid upon sales of landed property.<sup>3</sup> These documents, even in their imperfect preservation, still present a lively image of the vigorous activity of the administrative departments of the government.

Learned men, even among the ancient Greeks, considered inscriptions of this and similar kinds of so much importance, that they made collections of them. The Attic epigrams of Philochorus comprised, it is true, probably only poetical inscriptions. But Polemon, the author of an account of travels, who even received as an amateur of inscriptions the surname Stelopicas, wrote four books upon the votive offerings in the citadel,<sup>4</sup> and many works upon other inscriptions. He also made collections of the decrees of the people,<sup>5</sup> from the stones upon which they were inscribed; for example, of those at Athens. The comprehensive collection of decrees of the people which Craterus made, without doubt in part from inscriptions, and in which he communicated also lists of the tributes, is well known.<sup>6</sup> There was extant also, anciently, a collection of demioprata. It is frequently cited by Pollux in the tenth book of his work,<sup>7</sup> and once by Athenæus.<sup>8</sup> From this the former obtained his knowledge of the catalogue of the confiscated property of Alcibiades.<sup>9</sup> In this collection of demioprata there were found also, beside these, accounts, inserted along with them, of the treasurers of the citadel respecting the delivery of the sacred valuables, and among others, one which has accidentally been preserved, or to which

<sup>1</sup> In Rangabé, ut sup. No. 349, p. 403.

<sup>2</sup> C. I. Gr. No. 162, 163.

<sup>3</sup> Beilage XVII.

<sup>4</sup> Athen. VI. 234, D, and Casaubon on the same.

<sup>5</sup> An example is found in Athen. VI. p. 234, E. From him was also probably derived the inscription in the Anaceum (*Ἀνάκειον*), p. 235, B.

<sup>6</sup> The decrees of the people which are found in the Appendix to the Lives of the Ten Orators, were taken from such a collection. Respecting the lists of tributes in the work of Craterus, see the introduction to Beilage XX.

<sup>7</sup> See Beilage IX.

<sup>8</sup> XI. 476, E.

<sup>9</sup> Pollux, X. 36, 38.

one yet preserved is nearly related.<sup>1</sup> Probably the catalogue of the votive offerings in the citadel, in the archonship of Alcibiades, that is, the document relating to their delivery by the treasurers, of whom he was the chief, cited by Pollux,<sup>2</sup> was derived from this collection of *demioprata*.

## CHAPTER IX.

WERE THERE AN ESTIMATE AND COMPARISON REGULARLY MADE OF THE EXPENDITURES AND REVENUES? OF THE VARIOUS KINDS OF EXPENDITURES?

As essential as accountability is to a regular administration of the finances, it is not, however, alone sufficient. The first requisite for this object is *a correct estimate of the expenditures, and of the revenues*, so that the latter may cover the former. An esti-

<sup>1</sup> See Inscript. XIII. line 37.

<sup>2</sup> Καὶ στάθμια δὲ χαλκᾷ ἐν τῇ ἐπ' Ἀλκιβιάδου ἀρχοντος ἀναγραφῇ τῶν ἐν ἀκροπόλει ἀναθημάτων ἀναγέγραπται, X. 126. What is here quoted from Pollux, is found in two documents still extant, executed subsequently to the archonship of Euclid; see Beilage XII. § 25. No archon is mentioned of the name of Alcibiades. Pollux confounded the chief treasurer of the goddess or of the gods, whose name stood at the commencement of the inscription, with the archon. The great Alcibiades, however, is not here meant. There is no probability that he was chief treasurer of the goddess; since all who held this office before the time of the anarchy, are known, and the office of the treasurers of the other deities is in this case hardly conceivable. Moreover, it would be in accordance with what has been said to assume, that the document mentioned by Pollux was executed after the archonship of Euclid. Nevertheless, the great Alcibiades may also have once been one of the treasurers in the citadel, only not the chief treasurer. If he were not one of the treasurers in the citadel, how could he have had in his own house, as Plutarch in his Life relates, many of the golden and silver articles belonging to the state, and which were borne in the solemn public processions (*πομπαί*), and have used them as his own property? If he was one of the treasurers in the citadel, he might have done this, and by disregarding divine and human rights, have caused what should have been kept in the temple to have been brought to his house. Different from this account of Plutarch, derived from Phæax, is the recital in the doubtful speech of Andocides ag. Alcib. p. 126, 127, concerning articles of the same kind, which Alcibiades borrowed in Olympia from the *architheorí* of the Athenians, to be used in the festival celebrated on account of his victory. This has already been remarked by Ruhnken (Hist. Crit. Orat. p. 138, in the VIII. Vol. of Reisk. Orat.).



mate of this kind was, hardly in any Grecian state, antecedently and regularly made.<sup>1</sup> From experience, however, and by means of the accounts regularly rendered, it must have soon appeared what was the amount of the regular expenditures and revenues, and to what degree the latter sufficed or were deficient, the former necessary or superfluous. Aristotle<sup>2</sup> says: "He who will give counsel respecting the finances, must know the revenues of the state, what they are, and what is their amount, in order," he adds, "that when one branch of the same fails or is insufficient, it may be increased. Moreover, he must also know what are the expenditures of the state, in order that when one is superfluous it may be relinquished, when too large it may be diminished. For not only by increasing our possessions do we become richer, but also by diminishing our expenses. And this cannot be learned from our own experience in relation to our own affairs alone, but, in order to give counsel in these matters, we must also be informed of what others have ascertained." In this passage the problem which a superintendent of the public revenues had to propose to himself, is clearly stated. That the Athenians, however, in the difficult application of these principles, so simple in themselves, always proceeded correctly, may be doubted. Necessity, at first, afterwards custom or the convenience of the people, introduced certain expenditures. If the revenues were not sufficient to defray these expenditures, either the former must have been increased, or the latter diminished. But this was decided for the most part after the event. It was in a higher degree necessary upon the occurrence of extraordinary pecuniary emergencies: and after the treasury was exhausted, the want of funds embarrassed every great undertaking.

Moreover, we know what was the amount of the Attic public revenues in different periods, but are much less acquainted with the expenditures: and they were also very different according to circumstances. I treat first of the latter. The consideration of them concerns many departments of antiquities, and I cannot, therefore, give so complete and conclusive an account of them as of the revenues, but must be contented with barely touching

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<sup>1</sup> What Plato says in his *Laws*, Book XII. p. 955, proves nothing in favor of the opinion that a regular estimate was made.

<sup>2</sup> *Rhetor.* I. 4. Comp. *Xenoph. Mem. Socr.* III. 6, 4-6.

upon the principal points. The ordinary expenditures may be referred to the following heads: Expenditures for public buildings, for the police, for the celebration of the public festivals, for distributions of money or grain to the people, for compensation for public services in time of peace, for the support of the poor, for public rewards, for the procuring of weapons, ships, and cavalry in time of peace. Extraordinary exigencies arose from the wars. Of these I will treat at the end of this Book.

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## CHAPTER X.

### OF THE PUBLIC BUILDINGS AND STRUCTURES.

THE expenditures occasioned by the public buildings whose magnificence and splendid architecture, as still exhibited in their ruins, excite admiration, were so great, that they could not have been paid without the treasury composed of the tributes from the allied states. Even their *preservation* must have required a considerable permanent expenditure. I will mention only the construction of the Piræus by Themistocles, the fortifying both of this and of the other harbors, the market of Hippodamus, the Theatre, the many temples and sanctuaries of the Piræus itself. The cost of constructing the wharves and dock-yards where the ships lay under cover (*νεωσολοι*) was a thousand talents (\$1,026,000), and after they had been destroyed in the period of the anarchy, for the sum of three talents by the persons who took the contract for that purpose, they were restored, and completed by Lysurgus.<sup>1</sup> A magnificent work in the Piræus was the naval arsenal (*σχευοθήκη*) built by Philon, and destroyed by Sylla. The fortifications of Athens were gigantic. Beside the citadel the city had other fortifications, and the Piræus and Munychia, separate fortifications of their own. The walls of both the latter in a circuit of one and a half German,<sup>2</sup> or about

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<sup>1</sup> Isocr. Arcopagit. 27; Meurs. Fort. Att. VII.

<sup>2</sup> The author himself in this instance uses the term "German." A German long mile, according to the Encyc. Amer., is equivalent to 10,126 Eng. yds., that is, very

six and nine tenths English miles, were forty cubits, or sixty feet high, and so broad, that, when they were building, wagons went up and down them in opposite directions. They were built of blocks of freestone without cement, but held together by iron cramps.<sup>1</sup> They were commenced by Themistocles, but erected by him to only half their height, and were completed by Pericles. Finally, the city and harbor were united by the long walls, namely, the parallel walls, or so-called thighs (*τὰ σκέλη*), forty stadia, or one German, or about four and three fifths English miles, long, and by the Phalerian walls thirty-five stadia in length, built partly upon marshy ground filled in with pieces of rock. Of the former, one was called the northern, or external wall (*τὸ βόρειον, τὸ ἔξωθεν τεῖχος*), the other the southern, or middle wall (*τὸ νότιον, τὸ διὰ μέσον*). We first obtained a complete idea of these walls from the inscription relating to the building of them.<sup>2</sup> From it we learn that they were even covered with a roof, that their defenders might be protected from above. These immense works, after their destruction during the rule of the thirty tyrants, were built for the most part anew. At that time, to be sure, Persian money was presented to the Athenians for that purpose.<sup>3</sup> To these were added in time of war ramparts, ditches, and parapets, to strengthen the works; and further, the fortifications of the smaller places in Attica. Thus, for example, Eleusis was fortified as an ancient, formerly independent, city. So were Anaphlystus, as Xenophon<sup>4</sup> and Scylax inform us, Sunium,<sup>5</sup> and Thoricus<sup>6</sup> during the Peloponnesian war, Panactum,<sup>7</sup> and Oenoe,<sup>8</sup> strong places on the frontiers towards Bœotia, the strongly secured Phyle,<sup>9</sup> finally, Aphidna, and Rhamnus. The

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nearly to five and three fourths Eng. statute miles. Others make it equal to about five Eng. stat. miles. But the mile here intended is, I think, the German mile, which is equivalent to the Prussian geographical mile, that is, to about four and three fifths Eng. stat. miles. — Tr.

<sup>1</sup> Thucyd. I. 93; Appian, Mithrid. 30.

<sup>2</sup> Otrf. Müller de munimentis Athenarum.

<sup>3</sup> Xenophon, Hellen. IV. 8, 12.

<sup>4</sup> Concerning the Public Revenues, 4, 44. Scylax names four fortified places, Eleusis, Anaphlystus, Sunium, and Rhamnus.

<sup>5</sup> Thucyd. VIII. 4.

<sup>6</sup> Xenoph. Hell. I. 2, 1. Comp. the same concern. P. Revenues as above cited.

<sup>7</sup> Thucyd. V. 3; Pausan. I. 25, 5. In the Peloponnesian war the Bœotians destroyed the fortification.

<sup>8</sup> Thucyd. II. 18.

<sup>9</sup> Xenoph. Hell. II. 4, 2; Diod. XIV. 32; Nep. Thrasyb. 2.

last two, together with Phyle, Sunium, and Eleusis, were in the time of Philip designated as places of refuge.<sup>1</sup> But how many magnificent edifices and structures did the city with its environs contain? Call to mind the edifices for the assemblies of the people, the court houses and markets, the splendidly ornamented halls, the Pompeum, Prytaneium, Tholus, the council house, and other edifices for the public officers, the numerous temples, the magnificent Theatre, the Odeum, the Schools for wrestling, the Gymnasias, the Stadia, the Hippodromes, the aqueducts, fountains, baths, together with the buildings appertaining to them for unclothing,<sup>2</sup> etc. What an immense sum, finally, did the embellishment of the Citadel cost! The entrance alone, the Propylæa, a work of five years, caused an expenditure of 2,012 talents,<sup>3</sup> or more than three million thalers, or than two millions and sixty thousand dollars. Within the citadel there were also many temples, as, for example, the temple of Victory, the temple of Minerva Polias, or the Erechtheum, comprising several edifices, and the magnificent temple of the virgin Minerva. The last was called, contrary to the official usage of the ancient documents, even in ancient times, as it is at present, the Parthenon. All these temples were ornamented with the most costly statues and other works of art, and enriched with golden and silver vessels. How many oft recurring small expenditures also, of which we scarcely have a conception, were found necessary in an ancient state! For example, that required for the building of altars, which were erected for certain festivals upon each recurrence of their celebration.<sup>4</sup> The same remark will apply to the frequent votive offerings, and other matters of the same nature.

The construction of streets and roads is not to be omitted,

<sup>1</sup> A decree of doubtful authority in Demosth. concern. the Crown, p. 238.

<sup>2</sup> Treatise on the Athenian State, 2, 10.

<sup>3</sup> Heliodor. in Harpoer.; and Suid. on the word *προπύλαια*. Comp. Photius. In the latter *βιβλ* is to be read from the Dresden transcript. One must not be induced by this account erroneously to understand, that, according to Thucydides, II. 13, 3,700 talents of the money of the treasury only were expended upon the war against Potidæa until the date of the delivery of that speech of Pericles, and upon the edifices and structures erected by him, generally. For beside the money of the treasury the large current annual revenues had also been expended. Leake's computation of the cost of the edifices and structures of Pericles (Topogr. of Athens, Vol. I. p. 470, 2d ed. London), rests, therefore, upon an erroneous foundation.

<sup>4</sup> Plutarch, Life of Demosth. 27.



both as regards the paving of the streets in Athens, and in reference to the roads leading to the harbor, the sacred road to Eleusis, and perhaps the road towards Delphi, as far as the boundaries of Attica; for it is maintained that the Athenians first constructed the road to Delphi. I acknowledge that the Romans and the Carthaginians expended more in constructing roads than the Greeks. But roads were carefully constructed by the latter, which were very much travelled, especially those which were designed for the use of solemn processions. They were not merely roughly paved, but were made firm and even with small stones taken from the stone quarries.<sup>1</sup>

For all these works, either permanent or temporary officers were appointed. For the restoration of the walls special commissioners (*τειχοποιοί*) were appointed. These were, as Æschines says,<sup>2</sup> among the superintendents of the public works (*ἐπιστάται τῶν δημοσίων ἔργων*) the superintendents of the greatest work. Like the builders of the triremes, one was chosen from each tribe.<sup>3</sup> There were similar superintendents for the erection of every other public building and structure. Pericles, as one of these superintendents, was engaged in building for the state, and also in later times Lycurgus.<sup>4</sup> Examples of these superintendents, together with their secretary, are found, among others, in relation to the building of the propylæa, and of the temple of Minerva Polias.<sup>5</sup> Beside these, there were permanent superintendents (*ἐπιστάται*) of the temples, who were associated with the treasur-

<sup>1</sup> Σκῦρον is the same as λατύπη, the fragments which fall from the hewing of stone, and even mortar. From this is derived the phrase σκυρωτὴ ὁδός. There was one of this kind at Cyrene for the use of pompæ (Pindar, Pyth. V. 90 sqq.); consequently, it was not a paved road, but was carefully constructed with pounded stone. Σκυρωτὴ ὁδός, however, is explained by the word λιθόστρωτος, and it appears to me, therefore, probable that by this is not, at least always, to be understood a paved road, but one constructed with pounded stone.

<sup>2</sup> Against Ctesiphon, p. 400. Comp. Sigon. R. A. IV. 3. Pollux, VIII. 114, includes them erroneously among the public servants, as also the sacrificers (*ἱεροποιοί*), and βοῶνæ.

<sup>3</sup> Æsch. as above cited, p. 422, 425.

<sup>4</sup> Plutarch, Pericl. (comp. Diodor. XII. 39), and the Life of Lycurgus, among the Lives of the Ten Orators.

<sup>5</sup> Beilage XVI. 1-3; C. I. Gr. No. 160, § 1. The fragments in Rangabé, No. 56 sqq. are parts of an account rendered by these *ἐπιστάται*. In them a subordinate secretary is also mentioned. Ἐπισκευασταὶ τῶν ἱερῶν are also mentioned in an ancient law recited in Athen. VI. p. 235, D.

ers, priests, and sacrificers (*ιεροποιοί*) in the same.<sup>1</sup> There were also officers appointed for the construction of streets and aqueducts (*ὁδοποιοί, ἐπιστάται τῶν ὑδάτων*).<sup>2</sup> The *astynomi* were police officers for the streets. There were five of them in the city, and the same number in the Piræus. They were charged both with the preservation of public order, and also with the care of keeping the streets clean, and hence they had the control of the female flute and guitar players, and of the street cleaners (*κοπρολόγοι*).<sup>3</sup>

The public officers in general committed the construction of the public works, as was done in Rome, to contractors (*ἐργολάβοι, ἐργῶνται, μισθωταί*). It has already been shown by a previous author, that this was the custom in reference to the repairing of the temples and public buildings;<sup>4</sup> but the custom was also the same in reference to new buildings and structures. Thus, for example, the Alcæonidæ contracted to build the temple at Delphi for three hundred talents, and they completed it in a more elegant style than had been prescribed in the plan or model;<sup>5</sup> and the architect Callicrates built the long walls, as a contractor under Pericles.<sup>6</sup> The same was the method of proceeding in reference to smaller matters, as, for instance, in the erecting of altars.<sup>7</sup> The work to be done was accurately designated; large works were divided into sections. Thus, when the walls were restored,

<sup>1</sup> Beilage III. § 7. Comp. XIV. 12, O.

<sup>2</sup> Sigon. R. A. IV. 3, p. 176, Vol. I. of his works; Petit. Leg. Att. V. 1, 3. Respecting the *ὁδοποιοί*, see, in particular, Æsch. ag. Ctesiph. p. 419, and Cratinus in Plutarch, Præc. Reip. Gr. 15. Themistocles was *ἐπιστάτης ὑδάτων*: see Plutarch, Themistocl. 31. Comp. respecting this kind of public officers, Aristot. Polit. VI. 5, 3, and respecting the works of which they had the charge, Ernst. Curtius die städtischen Wasserbauten der Hellenen (Berlin, 1847, 8). The *κρηνοφύλακες*, mentioned by Sigonius, were, probably, not public officers, (see the remarks of the editor upon the passage cited).

<sup>3</sup> Aristot. in Harpocr. on the word *ἀστυνόμοι*, and from him Suidas, Lex. Seg. p. 455. All concur in regard to the number of the *astynomi*, with the exception of Blancard in his edition of Harpocration. In this the numbers have been corrupted. Comp. C. I. Gr. Vol. I. p. 337, b. Casaubon on Sueton. Tib. 61, understands by the word *κοπρολόγοι*, in the passage here cited, buffoons. This, notwithstanding the odd connection of the word with the merry wenches, I cannot consider correct. Comp., on the contrary, respecting the signification of the word, among others, Pollux, VII. 134.

<sup>4</sup> Petit. Leg. Att. I. 2, 7.

<sup>5</sup> Herodot. V. 62, II. 180, and others; (see Explicatt. zu Pindar Pyth. VII.).

<sup>6</sup> Plutarch, Pericl. 13.

<sup>7</sup> See Book III. 13, of the present work.

the work was divided by the architect, according to the well-known inscription, into ten sections, and these sections were severally committed to individual contractors.<sup>1</sup> The contractors were commonly architects. But the official architects of the state, who had the chief direction of the public works and were associated with the *epistatæ*,<sup>2</sup> are to be distinguished from these. They were probably always, as in the case presented in the inscription relating to the building of the walls, elected by the people by *cheirotomia*. The contracting was done by the *poletæ* together with the superintendent of the administration, undoubtedly, however, with the coöperation of the superintendents of the public works, who are also mentioned in the inscription relating to the building of the walls.<sup>3</sup> The state sometimes furnished a part of the materials.<sup>4</sup> The building or constructing of the public edifices and works by contract, however, was not without exception. The temple of Minerva Polias, which was built with special care and elegance, was evidently not entirely constructed by contractors. At least the work done in Olym-

<sup>1</sup> The inscription relating to the building of the walls contains an account of the work to be done, and also the assignment of the several portions of the same to the contractors. A fragment of a similar memorial, containing an agreement respecting some carpenter-work not yet completed, probably in a temple, of a date prior to the time of Euclid, has been preserved. I have published it in the *Archäol. Int. Bl. der A. L. Z.* 1835, No. 5. The same may be found in the *Ephem. Archæol.* No. 232, and in *Rang.* No. 88. Perhaps the fragments in *Rang.* Nos. 345, 346, are of the same kind. A very ample record of a contract relating to the restoration of the temple of Delos is in *C. I. Gr.* No. 2266. It is not Attic however.

<sup>2</sup> *C. I. Gr.* Nos. 160 and 2266. To the same class belonged, also, the architect mentioned in the document in *Rang.* No. 56 sqq. In a decree of the people relating to the contracting for building and constructing public edifices and works of which, however, there is almost nothing left, *C. I. Gr.* No. 77, the *ἀρχιτέκτων τοῦ νεώ*, the public architect is distinguished from the architects who were the contractors. In *C. I. Gr.* No. 160, Müller and I were formerly mistaken in not considering the architect to have been at the same time the contractor. It is not clear in *Beilage III. B.*, whether an architect appointed by the state or contractors are meant.

<sup>3</sup> *Comp.* Book II. 6, of the present work.

<sup>4</sup> As, for example, in Delos, the brass, *C. I. Gr.* No. 2266. *Comp.* also *Otfr. Müller de Munim.* Athen. p. 40, of the sheet E. In the *Archæol. Int. Bl.* of the *A. L. Z.* 1835, No. 4, I have communicated a fragment of an inscription in *Rang.* No. 130, in which elm and cedar timber (*ξύλα πτελένια, κυπαρίττινα*) are mentioned, and two persons, *Phloxis* and *Philon*, are named. This timber was either delivered by the persons named to be employed in building, or it remained after the completion of a building, and was sold to them. It is not clear, to be sure, whether it had been delivered by the state to contractors.

93, 2 (B. C. 407), was under the immediate direction of the public authorities, together with the architect appointed by the state; and only some of the more minute parts were completed by the artists or mechanics by contract, while other parts were done by day work. The workmen in both cases were severally paid by the state.<sup>1</sup> When circumstances required, the superintendents, together with the architect, made a survey of what was completed, or what was only half done; so that what lacked, if any thing, was thus ascertained. This was probably done, in general, at the commencement of the year. This was the case in relation to the temple of Minerva Polias, Olymp. 92, 4 (B. C. 409). It was received by the superintendents, according to the document, in part extant, relating to that transaction, in the first prytania.<sup>2</sup> The work was, upon its delivery, inspected (ἐδοκιμάσθη) by men specially designated for that purpose (δοκιμασταί or ἐπιμυταί).<sup>3</sup> Other particulars I leave for the reader to learn from the documents which have been preserved to our times.

The expenditure on account of the public buildings and structures was, from the nature of the case, entirely indeterminate, and was regulated according to the condition of the revenues, and the requirements of public convenience. Demosthenes received nearly ten talents to be employed in the restoration of the walls.<sup>4</sup> But it is uncertain whether he, who was treasurer only for the Pandionian tribe, received the whole amount appropriated for that purpose, or his nine colleagues received additional sums. The latter is the more probable supposition, since not merely one treasurer is mentioned in the passage cited, but several. That the state, however, paid the expense of the restoration, and not the tribes, as might appear from a passage of Æschines, may easily be perceived, since the money for that purpose was paid from the treasury of the administration. Prob-

<sup>1</sup> Document in Rang. No. 56 sqq.

<sup>2</sup> C. I. Gr. No. 160, § 1. That this fine memorial is imperfect, as I have contended, has indeed been disputed, but my opinion has been confirmed by the finding, in 1836, of a small fragment of the missing part. See an account of this fragment by Ross in the *Kunstblatt* for 1840, No. 18. *Ephem. Archaeol.* No. 215; Rang. No. 86; Stephani in the *Annali dell' Inst. di corrisp. Archaeol.* Vol. XV. (1843), p. 286.

<sup>3</sup> C. I. Gr. No. 102. The theatre in the Piræus, which belonged to the demus, is the subject of this inscription; C. I. Gr. No. 2266.

<sup>4</sup> Æsch. ag. Ctesiph. p. 415. Comp. p. 425.



ably the commissioner of each tribe was required to restore a definite section of the walls, and Demosthenes had received the sum above mentioned for the section assigned to him. But it was insufficient. He added, according to the statement of a decree of the people professedly contemporary, and of another passed at a later period, three talents of his own money, beside what was expended in digging two ditches around the Piræus at his cost.<sup>1</sup> Conon, the son of Timotheus, must have expended ten talents in repairing the walls. In general, only the surplus of the revenues was allowed to be expended upon the public buildings and structures, unless some urgent need required more. This is shown in an ancient decree of the people relating to the dock-yards and walls. By this surplus is to be understood the sum which, after the payment of the debts of the state, remained of the amount appropriated for that purpose.<sup>2</sup> But we find, however, that a property tax was imposed for the building of the naval arsenal.<sup>3</sup> The surplus became extraordinarily large, in the time of Pericles, from the receipt of the tributes from the allied states; and from them the treasury was formed. And thus Pericles, as Plutarch<sup>4</sup> expresses himself, was enabled to build temples at a cost of a thousand talents each. He expended, also, from the treasury, 3,700 talents for public buildings and structures, and for the prosecution of hostilities against Potidæa,<sup>5</sup> without computing what he may have added from the current revenues. After the time of Pericles, also, buildings and public works were constructed with the money of the treasury.<sup>6</sup> Before him, beside Pisistratus, both Themistocles and Cimon had distinguished themselves in the construction of public build-

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<sup>1</sup> Decree of the people in Demosth. concern. the Crown, p. 266, and decree of the people in the Appendix to the Lives of the Ten Orators. In Æschines ag. Ctesiphon, p. 405, only a hundred minas are mentioned, evidently from confounding what Demosthenes gave upon the occasions above mentioned with what he gave as superintendent of the theoricæ (concern. the Crown, p. 266). The author of the Lives of the Ten Orators follows the account of Æschines (p. 263, Tüb. ed.). Respecting Conon, see Nepos. Timoth. 4.

<sup>2</sup> Beilage III. § 9.

<sup>3</sup> See Book IV. 1, of the present work.

<sup>4</sup> Pericl. 12.

<sup>5</sup> Thueyd. II. 13.

<sup>6</sup> See the documents in Beilage XVI., and Rang. No. 56 seq.

ings and other works. After him deserve to be named Conon, as the restorer of the walls, and Lycurgus, who completed so many buildings and works left unfinished; for example, the dock-yards, the arsenal, the theatre of Bacchus. He also constructed the Panathenaic Stadium, the Gymnasium, the Odeum, the Lyceum, embellished the city with many other edifices and structures, and procured, besides, many articles employed in the solemn processions, ornaments for the goddess, golden images of the goddess of victory, and golden and silver ornaments for a hundred canephoræ.<sup>1</sup>

But, in general, the public buildings of the age in which Lycurgus lived were inconsiderable, in comparison with those of earlier ages, while the magnificence of private buildings had increased. "In ancient times," says Demosthenes,<sup>2</sup> "every thing belonging to the state was rich and majestic; no individual was distinguished above the multitude. The houses of Aristides, Themistocles, Miltiades, and other great men of those times, if indeed they are known, do not look handsomer than the house of a man of the great mass of the people. But the edifices and structures of the state are so grand, that they cannot be surpassed by any constructed in subsequent times: those Propylæa, the buildings for sheltering the ships, the public halls, the Piræus, those other edifices and structures with which you see the city furnished! At the present day, every one that administers the affairs of the state obtains such a surplus of money, that several of them have built them houses more magnificent than the public edifices; others of them have purchased more land than all of you who sit in judgment in the courts possess. But it is a shame to tell how small and parsimoniously constructed are the public edifices and works which you have built and plastered over with mortar. To which of your works shall we direct attention? The breastworks which we daub and plaster over? The roads which we are repairing? The foun-

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<sup>1</sup> See the passages cited by Meursius, *Fort. Att.* p. 58 of the quarto edition. The principal authority, the third decree of the people in the Appendix to the *Lives of the Ten Orators*, is the only one forgotten by him.

<sup>2</sup> *Ag. Aristocr.* p. 689, 11-24; *Olynth. III.* p. 35, 36. I have united both these passages into one. Compare the spurious speech *περὶ συντάξεως*, p. 174, 17, to p. 175, 12.

tains? The gewgaws?" Thus speaks the ardent zealot for the interest and the glory of his native land. His castigations, with a few alterations, might be applied to our age, which, consuming vast treasures on transitory frippery, produces nothing grand and enduring.

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## CHAPTER XL

### THE POLICE. THE SCYTHIANS.

THE police, in the extent which it has reached in the states of modern Europe, could not become prominent among the Greeks as a separate establishment, because in a free state the judicial decision of controversies is in all cases preferred to the procedure by police. A secret or so-called high police, is entirely inconceivable as a separate arrangement in a democracy. But the right allowed to each citizen to appear as complainant, with respect to all matters prejudicial to the public interest, occasioned a strict oversight; and this right was exercised not without malignity, envy, and calumny. There arose a system of espionage, and of inquisition, which, in its consequences, was not less dangerous and terrible than the basest regulations of modern despots. It had the twofold advantage over these, however, that it cost the state nothing, and that no one could be condemned without a public trial.

No police existed in ancient times, as a separate establishment, except the police whose services are salutary, namely, that of the streets, with which the *astynomi* were charged, and the police of the market and of trade. These, also, occasioned little expense. Finally, regulations were certainly requisite in reference to foreigners, and to the preservation of order and of security in the city, particularly in the public assemblies. Foreigners were considered in all the Greek States, notwithstanding the general hospitality, as enemies, and were, therefore, in Athens, under the jurisdiction of the *Polemarchus*, as at Rome of the *prætor peregrinus*. Probably, also, the police in relation to foreigners was under his charge, and the care of carrying

into execution a system of regulations concerning passports, of which we have a slight intimation in a jest of Aristophanes,<sup>1</sup> may have been one of his duties. The city watch, formed of public slaves (*δημόσιοι*),<sup>2</sup> served for the preservation of security and order. These, although men of low extraction and manners, were persons of some consequence, since the state caused its laws to be executed through them as its constables. Public slaves were also appointed to have the oversight of measures and weights,<sup>3</sup> and subordinate offices of heralds and controllers were occupied, and all sorts of services in public assemblies and in the courts, performed by the same.

Those public slaves who formed the city watch must be considered as a body-guard of the Athenian people. As Polycrates of Samos kept as tyrant a thousand archers for his body-guard,<sup>4</sup> so did the Athenian people. They were commonly called archers (*τοξόται*), or, from the native land of the majority of them, Scythians, also Speusinians. They lived in tents in the market-place, and later upon the Areopagus.<sup>5</sup> There were among them, also, in particular, Thracians and other barbarians. The commanders of these, and indeed also of the free archers, were called *toxarchi* (*τόξωχοι*).<sup>6</sup> Their number was gradually increased. There were at first, soon after the battle of Salamis, three hundred bought.<sup>7</sup> Their number was afterwards increased, according to the scholiast of Aristophanes on the *Acharnians*, and according to Suidas, to a thousand, and according to Andocides and Æschines, to twelve hundred.<sup>8</sup> They could, more-

<sup>1</sup> Birds, 1209, and the Schol. on 1214. The name in Greek is *σφραγίς, σύμβολον*; in Plautus, Capt. II. 3, 90 *syngraphus*.

<sup>2</sup> Respecting these, see Harpocr. Suid. Etym. Pollux, IX. 10, and Hemst. on the last; also Maussac. on Harpocr. on the word *δημόσιος*; Lex. Seg. p. 234.

<sup>3</sup> Beilage XIX. § 5 sqq.

<sup>4</sup> Herodot. III. 39, 45.

<sup>5</sup> Pollux, VIII. 132, and the commentators; Aristoph. *Lysistr.* 437; *Acharn.* 54; Schneider on Zenoph. Mem. Soc. III. 6; Lex. Seg. p. 234, Phot. on the word *τοξόται*.

<sup>6</sup> C. I. Gr. No. 80.

<sup>7</sup> Æschin. *περί παραπρεσβ.* p. 335.

<sup>8</sup> Æschin. as above cited, p. 336. *χιλίων δὲ καὶ διακοσίων ἱππίας κατεστήσαμεν καὶ τοξότας ἑτέρους τοσοῦτους*. Hieronimus Wolf asks, whether three hundred or six hundred are meant, since he connects *ἑτέρους τοσοῦτους* with the three hundred mentioned in p. 335, who were bought first. To me it is certain that *ἑτεροὶ τοσοῦτοι*, in such a position, can be referred only to the number immediately preceding, here, therefore, only to *χιλίων καὶ διακοσίων*, and that the whole number of the archers, including those first



over, be used also in the field; although the Athenians had, beside them, archers who were freemen, of whom I will subsequently treat.

The expense which the former occasioned may be computed with considerable accuracy. Since strong, robust, faithful men were required for the purpose, their price cannot be estimated lower than three or four minas; and since, apart from the disasters of war, the whole number required renewal probably every thirty or forty years, there may have been purchased annually at least thirty. This would occasion an expense of one and a half to two talents. If we also estimate for their daily pay and maintenance only three oboli,<sup>1</sup>—since as bondservants of the state they were probably paid less than the soldiers,—this would amount annually to about thirty-six talents.

bought, most of whom, besides, may have died, and have been replaced, is here meant. The mention of those first bought is so far antecedent, that one has lost sight of it. But there occurs now the difficulty, what is the meaning of *ἕτεροι τοσούτοι*. What is shown by Hier. Wolf and Viger has taken from him, namely, that it often means *twice as many*, since the preceding number is reckoned, and the same number added, is undeniable. But it undoubtedly originally means, strictly taken, only *just as many*, as *ἕτερος τοιοῦτος* means *just such another*; as, for example, in *Æsch. ag. Ctesiph. p. 488*, ἐκ Πελοποννήσου μὲν πλείονας ἢ διαχίλιους ὀπλίτας, ἐξ Ἀκαρνανίας δὲ ἑτέρους, τοσούτους. That it is so meant in the passage before us is shown, in particular, by *Andocides concerning Peace, p. 93*: χίλιους τε καὶ διακοσίους ἱππίας, καὶ τοξότας τοσούτους ἑτέρους κατεστήσαμεν. In this passage the *τοσούτους* preceding is decisive of the question. This corresponds best, also, with the remark of *Suidas*, and of the *Scholiast*: “in Athens there were twelve hundred cavalry, but several authors mention only a thousand.” So *Suidas* and the *Scholiast* in relation to *Æschines*. The only expression in the sentence which might seem strange is the *ἑτέρους*, since archers are not cavalry. But the reason of adding it lies in the same method of conception common to the Greeks, from which *Xenophon* says: τοὺς ὀπλίτας καὶ τοὺς ἄλλους ἱππίας. Similar connections are frequent in Greek authors. *Scheibe* expresses a different opinion in *Schneidewin’s Philologus, 3 Jahrg. p. 542 sqq.* Moreover, the continuation of the narrative shows, that archers, in general, are not the subject of this passage, but the slaves; for the first three hundred are expressly said to have been bought.

<sup>1</sup> Three oboli in connection with archers, are found in *C. I. Gr. No. 80*. They appear, according to my present view of the passage, not to have been designed for pay or maintenance, but were probably a payment of some sort or other, regulated according to the proportion of the daily pay. It was given, however, not merely to the foreign archers.

## CHAPTER XII.

THE CELEBRATION OF THE PUBLIC FESTIVALS, AND THE  
SACRIFICES.

THE celebration of the public festivals early occasioned in the Athenian State an extravagance which was as unlimited as the expense of princes who are fond of magnificence for their courts. But it was a nobler and more elegant extravagance, since it tended to the exaltation of the whole body of the people; and all the citizens, not merely select individuals, participated in these solemnities. For it was connected with that precious treasure of humanity, the most highly valued, religion; and by the games, which operated powerfully in the cultivation of the people, public spirit, and a taste and critical judgment in reference to works of art, were awakened and confirmed. It was a generous policy to expend large sums upon the arts, which appeared at the festivals of the gods, in their highest consummation; upon costly and enduring vessels and implements, garments and carpets; upon choruses and musical entertainments, upon a consummate theatre, equally excellent both in comedy and tragedy. It was an impulse and an evidence of piety, to offer to the gods not bones as in Sparta, but whole victims, and, neglecting the earthly, to expend in honor of the inhabitants of the heavenly Olympus whatever they had bestowed upon mortals. It was also natural, that he who sacrificed should participate in the sacrificial repast. But when at last the people consumed the best revenues of the state in feasting, so that the sacrifices seemed no longer to have been introduced on account of the gods, but on account of men, in order that the people might be maintained by the commonwealth,<sup>1</sup> this was at the same time base and unwise, since, in order to accomplish it, that oppression of the allies, which prepared the ruin of the state, was a necessary consequence, and the latter was deprived in a frivo-

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<sup>1</sup> Comp. the treatise upon the Ath. State, 2, 9.

lous and unpardonable manner, of the means which it required for its defence. The Athenians not only had twice as many festivals as other Greek States,<sup>1</sup> but also in their celebration they surpassed all others. "The Panathenæa, the Dionysia," says Demosthenes,<sup>2</sup> "are always celebrated at the proper time, and you expend larger sums upon them, than upon any naval expedition, and make such preparations for them, as no one, at any other time, or for any other purpose, yet made. But your fleets are always too late." Even Plutarch, in other particulars an admirer, who with elegant phrases and an amiable spirit, has bribed the heads of many men of learning through their hearts, shows in his treatise upon the glory of the Athenians,<sup>3</sup> that this great weakness in their character did not escape his notice. For, after recounting the splendor of their tragic representations, he continues: "The Lacedæmonian looking upon this said not ill, that the Athenians had one great failing, namely, they employed the means which should have been devoted to serious uses in amusements; that is, they consumed in theatrical entertainments, the sums which should have been appropriated to paying the expenses of great fleets of ships of war, and of the march of great armies. For, if the heavy expenses of every dramatic representation should be computed, it would be shown that the people had expended more upon Bacchæ, and Phœnissæ, and Œdipuses, and Antigones, and upon the representations of the misfortunes of Medea and Electra, than in carrying on the wars which they had waged for the hegemonia, and for freedom from barbarian rule." How costly were the festivals of the state, and how great were its expenses for their celebration, may be judged from the fact that the demus Plotheia alone expended upon the Aphrodisia twelve hundred drachmas; upon the Anakeia the same sum; probably the same amount upon the Apollonia, and half of the same upon the Pandia, and assigned, beside, to its treasurers five thousand

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<sup>1</sup> Comp. the treatise upon the Ath. State, 3, 8. One may consider, with the Schol. Aristoph. Wasps, every sixth day as a festival day. This, indeed, does not give more holidays than we have at the present time. According to the Schol. Thuc. II. 38, the Athenians sacrificed every day in the year with the exception of one day.

<sup>2</sup> Philipp. I. p. 50, 3.

<sup>3</sup> Chap. 6.

drachmas for sacrifices; it also paid into the Heracleion seven thousand drachmas.<sup>1</sup>

The most considerable expenses for the celebration of the festivals were, beside the theoricon, those for sacrifices, games, and processions (*πομπαί*). In the celebration of many festivals all three were united, as in the great Dionysia, and these must, therefore, have been extremely expensive.<sup>2</sup> The sacrifices were of very different kinds. In the first place, there were a great number of little value to be offered to this or that god, or sacred personage, which consisted of small animals, pigs, sheep, cocks, etc., or of cakes and fruits. Of the same kind were the sacrifices offered before every assembly of the people, every sitting of the senate, at the opening of every court. In the second place, there were larger sacrifices, established as customary, and derived from ancient times. The ancient most sacred sacrifices were called paternal sacrifices (*πατρῷοι θυσίαι*), and to them were opposed those offered at the additional festivals (*ἐπιθέτοις ἑορταῖς*). The former were, at least in the degenerate later periods, more parsimoniously celebrated, or were even omitted. Feasts were connected with the latter, and at their celebration, in some instances, three hundred oxen were slaughtered at the public cost, while the expenses of the paternal sacrifices were defrayed from the rents of the sacred lands, so that they were borne by contractors who engaged to defray them for a certain sum paid out of these rents.<sup>3</sup> We may be convinced of the great number of those

<sup>1</sup> C. I. Gr. No. 82. Two of the figures cited have been corrected by Saupe, in the *Rhein. Mus.* 1845, p. 290. This I have followed.

<sup>2</sup> An incident illustrative of the expensiveness of the Dionysia, particularly on account of the sacrifices, is related in the second book of Aristot. (*Econ.* Chap. 6, which has been applied to Athens. It is not certain that this application is correct. It appears to me most probable that it refers to Antissa, since *Ἀντισσαῖος* was the gentile appellation of him who was named as the author of the proposal cited, indicating the name of his native city.

<sup>3</sup> *Isoc. Areopag.* 11. Οὐδ' εἰ ποτε μὲν δόξειεν αὐτοῖς, τριακοσίους βοῦς ἔπεμπον, ὅποτε δὲ τέχουεν, τὰς πατρῷους θυσίας ἐξέλαπον· οὐδὲ τὰς μὲν ἐπιθέτους ἑορτὰς (comp. Harpocr. on this expression), αἷς ἐστίαις τις προσείη, μεγαλοπρεπῶς ἤγον, ἐν δὲ τοῖς ἀγιωτάτοις τῶν ἱερῶν ἀπὸ μισθωμάτων ἔθνον. That ἀπὸ μισθωμάτων, was the same as ἐκ τῶν τεμενικῶν προσόδων, was the opinion of Didymus, as given by Harpocr. in this gloss: Δίδυμός φησιν ὁ γραμματικὸς, ἀπὸ τοῦ ἐκ τῶν τεμενικῶν προσόδων· ἐκάστῳ γὰρ θεῷ πλῆθρα γῆς ἀπένεμον, ἐξ ὧν μισθωμένων αἰ εἰς τὰς θυσίας ἐγίνοντο δαπάναι. This is also the only meaning which the expression ἀπὸ μισθωμάτων can have. But the grammarians interweave in the explanation of it this idea also, namely, that an agreement was made with contractors for the



greater sacrifices, when we recollect that the so-called hide-money (*δεσμοτιζόν*) Olymp. 111, 3 (B. C. 334), barely for seven months, amounted, as is evident from the eighth supplement, to 5,148 $\frac{2}{3}$  drachmas. In this several of the festivals, at the celebration of which great sacrifices were offered, are named. Thus, for example, Diana Agrotera, at the festival in honor of the victory at Marathon, alone received a sacrifice of five hundred young goats.<sup>1</sup> But the frequent great sacrifices of bullocks were a special bait for the people. For this reason Demosthenes<sup>2</sup> connected the furnishing of oxen suitable for this purpose with the expenses to be paid out of the theoricon. Barely the purchase

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furnishing and offering of the sacrifices. Since we find that the altars also were built in this way (see Book III. 13, of the present work), this tradition is undoubtedly correct, and it is, according to the circumstances of the case, to be applied even to these sacrifices *ἀπὸ μισθωμάτων*; only this expression itself has nothing to do with this agreement. An example of sacrifices *ἀπὸ μισθωμάτων*, although their expenses, perhaps, were not paid from the rents of sacred lands alone, is given in the decree of the demus Plotheia, C. I. Gr. No. 82. The last words of Harpocration inform us, that contractors were engaged to furnish and offer the sacrifices: *οὐ γὰρ κατ' εἰσέβειαν ἔθνον τὰ ἱερεῖα, ἀλλὰ μισθούμενοι*, and more clearly Lex. Seg. p. 207, on *ἀπὸ μισθωμάτων*. Of this latter article, omitting the previous twattle, I will give only the conclusion: *ἔθος γὰρ ἦν τοῖς βονλομένοις μισθοῦσθαι τὰς θυσίας, καὶ τέλος ἦν τῶν θυσιῶν πωλούμενον τῷ βονλομένῳ*. The latter member of the sentence is very improperly expressed. For how could the transaction be called a *τέλος*, when one engaged in an undertaking upon a contract with the state for the payment of a sum of money? This grammarian was entirely ignorant of the true meaning of the phrase *ἀπὸ μισθωμάτων*. Another gloss, Lex. Seg. p. 432, is to this effect: *ἀπὸ μισθωμάτων: οἱ Ἀττικοὶ ἔλεγον οὕτω δημοσίας θυσίας, ὥς ἐργολαβοῦντες ἐτέλουν*. What has just been said may apply to this also. Respecting the neglect of the paternal offerings, comp. also Lysias ag. Nicomach. in the passage soon to be cited, and respecting the feasting of the people in the temples, Petit. I. 2, 1. Photius on the word *Κύνειος* (*Ἀπόλλων Ἀθήνησιν οὕτω λεγόμενος*) has the following passage: *Κράτης ἐν τῷ περὶ τῶν Ἀθήνησι θυσιῶν οὕτω γράφει: τὸ δὲ Κυνηϊόν ἐστιν Ἀπόλλωνος ἱερόν· Κυνηϊόν δὲ τὸ ἐκ τοῦ θυννεῖον γενόμενον. τοῦτο δὲ ἐστὶ τὸ θυννεῖον Ἀλῆσι· καὶ γίνεται πρόσδοδος μεγάλη. ταύτην ἡ πόλις εἰς θυσίαν καταχωρίζει τῷ Ἀπόλλωνι τῷ Κυνεῖῳ Ἀλῆσι, ὥς Δημήτριος ὁ Φαληρεὺς*. Thus the passage appears to read. The revenue received from the tunny fishery near Halæ, which was of course farmed to a contractor, was, therefore, appropriated by the state for defraying the expenses of the sacrifices offered to that Apollo who was worshipped in Halæ (not *ἐν Ἀστεί*); so that the state may have transferred this revenue to the district for the purpose of the celebration of that religious service. At all events, there is here also an example of sacrifices *ἀπὸ μισθωμάτων*.

<sup>1</sup> See the passages in my "Vorrede zum Verzeichniss der Vorlesungen der Berl. Univers. Sommer. 1816," p. 3.

<sup>2</sup> Olynth. III. p. 37, 6. These were presents from the treasury of the state. Entirely different were those to which allusion was made in Inscription I. second Pryt. B. St. d. Ath. Vol. II.

of a hecatomb cost, on an average, even a talent,<sup>1</sup> and beside this, there were of course many other expenses connected with the celebration of the festivals. The code of Solon had in the sacred statutes (*νόμοις*) determined the amount to be paid for sacrifices and for other solemnities. The amount for a single one was fixed at three talents. But this appeared in the time of Lysias to be a very small sum for that purpose. The secretary Nicomachus, whose duty it was to transcribe the laws, caused, upon his own authority, nine talents to be inscribed upon the pillars upon which they were published, alleging that he had inscribed what piety dictated, not what niggardliness required; and that at a period when the state, on account of the narrowness of its resources, allowed the walls and dock-yards to fall to ruins, did not discharge its debts, and could not pay the Bœotians three talents, to relieve itself from the reprisals which they were making upon it. The state in this way lost in two years twelve talents, and became unable to offer the paternal sacrifices.<sup>2</sup> Demosthenes, as superintendent of the theoricon, added a hundred minas to the amount appropriated for the sacrifices the expenses of which he was to pay out of the treasury of the same;<sup>3</sup> a proof that even this, although generally well filled, was not sufficient to satisfy the people. Beside the sacrifices at the expense of the state (*δημοτελῆ ἱερὰ*), there were many others which individual communities and societies offered; as, for example, the districts (*δημοτικά ἱερὰ*), and the societies of orgeones (*ὀργεωνικά*),<sup>4</sup> to say nothing of the feasts of the tribes, of which I will treat subsequently.

<sup>1</sup> Book I. 14, of the present work.

<sup>2</sup> Lysias ag. Nicom. p. 856–860. This passage has not been fully understood by the commentators.

<sup>3</sup> Decree of the people in Demosth. concern. the Crown, p. 266, 23; Lives of the Ten Orators, p. 263. In this passage the words: *ὑπέδωκε δὲ καὶ θεωροῖς μισθίας* refer to the above-mentioned fact.

<sup>4</sup> Lex. Seg. p. 240; Hesych. and Harpoer. on the phrase *δημοτελῆ ἱερὰ*. The above-mentioned expressions were used, in part, in the laws of Solon; for example, the phrase *δημοτελῆ ἱερὰ*; so also in Æschines ag. Timarch. p. 47, p. 176, ag. Ctesiph. p. 566; and so in the oration ag. Neæra, p. 1374, 2, 1374, 4, in the formula *εἰσιέναι εἰς τὰ δημοτελῆ ἱερὰ*. This phrase suggested to Reiske (see his index to Demosth.), and to Buttmann on Mid. p. 125, not without reason, the entering into temples. But *εἰσιέναι εἰς τὰ ἱερὰ* evidently refers, particularly, to access to the sacrifices, although it denotes, in the first place, the permission to enter into the temples in which the sacrifices were offered.

The games at the celebration of the festivals were either musical, or gymnastic. Neither of these games could be celebrated without considerable cost. The choruses in the theatrical representations and upon other occasions, their instruction, maintenance, and preparation, the compensation of the musicians, and theatrical performers,<sup>1</sup> together with the decorations, machinery, and dresses, and in the gymnastic games the maintenance of the combatants of all kinds, and the furnishing of every thing which appertained to their training, and to the contest itself, required a considerable expenditure. And although this was in part defrayed by the immediate services of the citizens, by the choregia, and the gymnasiarchia, yet it all came at last from the same source, and it makes no essential difference, whether the state raised the money, and with it caused the games to be exhibited, or the private citizen, instead of giving the money, furnished the thing itself. To these objects of expenditure must be added the prizes of victory, which were partly such as had no great pecuniary value, in part they were tolerably costly, and consisted of money (in the ἀγῶνες ἀργυρίται), garlands, or tripods furnished by the state, or the authorities, who superintended the celebration of the festival, or by the victor himself at his own cost.<sup>2</sup> In an inscription of a date subsequent to the archonship of Euclid<sup>3</sup> we find mention of a golden garland of victory, weighing eighty-five drachmas, and which must have cost full a thousand silver drachmas, for one who accompanied a player upon the guitar with singing. In another inscription,<sup>4</sup> also of a date subsequent to the archonship of Euclid, the prizes of victory

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Moreover, all the explanations of the grammarians refer to these passages, and perhaps also to the words in the oracular communication from Dodona in Demosth. ag. Mid. p. 531, 24, which have been so well corrected by Buttmann. The latter on the passage just cited, quotes from Pollux the δημοτελεῖς ἑορτῶς, at which these sacrifices were offered. Thyatiran inscription, C. I. Gr. No. 3493: τὰς δημοτελεῖς θυσίας καὶ ἑορτὰς ἀφθόνως καὶ ἀνυπερκρίτως ἐπιτελέσαντα ἐν τῇ πανηγύρει. Inscription from Halicarnassus, C. I. Gr. No. 2656, 25 seq., ἐν ᾧ δὲ μηνὶ ἡ θυσία συντελεῖται ἡ δημοτελής; comp. also line 9. Thuc. II. 15, has ἑορτὴν δημοτελῆ, and Herodot. VI. 57. Dio Cassius XLIII. 25, θυσίαν δημοτελῆ.

<sup>1</sup> See Book I. 21, of the present work.

<sup>2</sup> Lysias for the Property of Aristoph. ; Beilage VII. § 5.

<sup>3</sup> Beilage XII. § 15, and the note on the same.

<sup>4</sup> Pittakis, l'anc. Ath. p. 382; Ephem. Archæol. No. 170; Davidoff, Reisen Bd. II. Anhang. No. 36.

for those who accompanied the players upon the guitar with singing, and for the singers to the accompaniment of the flute, and for the players upon the guitar and flute, are mentioned. The figures, it is true, are very much mutilated, and also they cannot be restored from the three manuscript copies which, in addition to the one published, I possess. But it may be perceived that the first singer who accompanied the music of the guitar received, including the garland, at least 2,500 drachmas, the fifth even three hundred. I conjecture that the second received twelve hundred, the third six hundred, the fourth four hundred. With these sums the figures which are preserved correspond. Of the singers to the accompaniment of the flute, the first seems to have received three hundred, the second one hundred drachmas. For the first player upon the guitar five hundred drachmas, and a garland worth three hundred drachmas were appointed; the third received at least one hundred drachmas. At the games of Neptune in the Piræus the first cyclian chorus, which obtained the victory received, according to an ordinance of Lycurgus, at least ten, the second eight, the third six minas as a reward.<sup>1</sup> For victors in gymnastic games, and chariot races, undoubtedly in the Panathenæa were offered, according to an inscription of a date subsequent to the archonship of Euclid,<sup>2</sup> a great number of prizes in oil, which ranged from six amphoræ (metretæ) to 140. Beside these there were all sorts of prizes for other games, from thirty drachmas to two hundred, a bull, and two hundred drachmas for the indulgence of the appetite during the celebration of the festival. And yet there is only a fragment of the whole inscription extant. Even to the Athenian victors in the sacred games, celebrated in other states, but acknowledged as general games of Greece, pecuniary rewards were assured by Solon, which for that age were not inconsiderable; for the Olympic games five hundred drachmas, for the Isthmian one hundred. The Pythian and Nemean games were not celebrated at the time of Solon's legislation.<sup>3</sup>

Finally, shall the magnificence of the Athenian pompæ, or solemn processions, be recounted? They did not yield to the

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<sup>1</sup> Lives of the Ten Orators, p. 252.

<sup>2</sup> Ephem. Archaeol. No. 136.

<sup>3</sup> Corsini Diss. Agonist. IV. 2.



theatrical performances in this particular, no cost was spared, and even the cavalry were constantly maintained in time of peace partly on their account. Connected with them were the public funeral obsequies (*δημόσια ταφάι*), which it is true took place only in time of war. More frequent were the greater and less theoriæ or sacred embassies, which were sent to all the four great national games of Greece, to Delos, and to other sacred places, to be present at the celebration of festivals, and which united in themselves both sacrifices and pompæ. One part of the costs was borne by the Architheorus, as *liturgus*, another by the state. For example, the theori sent to Delphi, received money for the expenses of their journey, and for their other expenses. Also a compensation, small and contemptible, it is true, of the theori sent to Paros, namely, two oboli for each one, is mentioned by Aristophanes,<sup>1</sup> and finally the architheorus, sent to Delos, received a talent from the sacred treasury.<sup>2</sup> The theori were obliged to appear with a magnificent and dignity commensurate with the reputation of their state. They entered the place of their destination crowned with a splendid garland, in chariots, which were encircled with garlands, often painted in a costly manner, gilded, and hung with carpets.<sup>3</sup> When Nicias went as architheorus to Delos, he even caused a special bridge to be built from Rhenea to Delos, of the length of four stadia, by which to make his entrance into the city.<sup>4</sup> The journey of the theori and chorusés from Athens to Delos alone cost, in an instance at a later period, seven thousand drachmas,<sup>5</sup> and the whole expense of this theoria at the celebration of the quadrennial festival at Delos, including this item, but without many others which are effaced, amounted, according to the account still extant, to the sum of four talents, and forty-three drachmas. This was not paid from the treasury of the state, however, but

<sup>1</sup> Respecting the former see Androt. in the Schol. Aristoph. Birds, 1540 (Comp. Book II. 6, of the present work); respecting the latter, Aristoph. Wasps, 1183. In this passage neither the money given for entrance into the theatre, nor soldiers' pay can be meant, as the schol. thinks. The former is not at all suitable to the connection; if the latter were the case, a soldier would have been called in jest a theorus, which is very improbable.

<sup>2</sup> Beilage VII. § 5.

<sup>3</sup> Hesych. on the word *θεωρικὸς*, and the comment.; also Plutarch, Nic. 3.

<sup>4</sup> Plutarch, as above cited. Comp. Taylor on the Sandw. Marbles, p. 18.

<sup>5</sup> Beilage VII. § 5.

from that of the Delian temple dependent upon Athens. From all this it is a natural conclusion, that the expenditures of the state for the celebration of the festivals were very great. It was sometimes even necessary to have recourse to the public treasury in order to pay these expenses. Thus, for example, five talents and a thousand drachmas were paid out of the treasury of the state Olymp. 92, 3 (B. C. 410), for the athlothetæ at the celebration of the greater Panathenæa, and 5,114 drachmas to the sacrificers, for the hecatomb, and five years earlier, 648 Cyzacene gold-staters to the athlothetæ for the same festival.<sup>1</sup> A large portion of the rest of the money, according to the account still extant, paid out of the treasury of the state in Olymp. 92, 3 (B. C. 410), the object of which is not given, seems also to have been for the festivals.<sup>2</sup>

For the management and care of all religious solemnities, officers were appointed, who received no pay. These were among the most eminent of the public authorities. Such among others were the superintendents of the mysteries, and of the Dionysia (*ἐπιμεληταὶ τῶν μυστηρίων, τῶν Διονυσίων*). Also, the first archons,<sup>3</sup> the military commanders,<sup>4</sup> the officers whose business it was on certain occasions to convene the people, (*σὺλλογεῖς τοῦ δήμου*),<sup>5</sup> and for Delos the Amphictyons were required to offer certain prescribed sacrifices. But there were especially annual sacrificers (*ιεροποιοὶ κατ' ἐνιαυτὸν*) appointed, ten in number, selected by lot. Beside these there were special sacrificers appointed by the state for particular festivals. Thus, for example, there were sometimes three, sometimes ten, chosen for the venerable goddesses, or the Eumenides (*ιεροποιοὶ ταῖς σεμναῖς θεαῖς*). There were many others also for other festivals of the state, of communities, and of particular societies. Those appointed by the state for particular festivals, since their office could not long continue, and every festival used to be named *ιερομηρία*, may be comprised under the appellation, monthly sacrificers

<sup>1</sup> Beilage I. zweite Pryt. Beilage II. D.

<sup>2</sup> Barthélemy, *Mém. of the Acad. of Inser.* Vol. XLVIII. p. 378, computes the amount of the money furnished from the treasury for the festivals, according to Beilage I. from false suppositions. For this reason I have made no use of his computation.

<sup>3</sup> Sigon. R. A. IV. 7.

<sup>4</sup> Beilage VIII. § 2, 3; also VIII. b.

<sup>5</sup> Beilage VIII. § 2, also VIII. b, and the remarks on VIII. § 2.

(ἐπιμύνηται). By this those seem to have been designated, who upon prescribed days, either of each month throughout the year, or even only in a single month, offered sacrifices.<sup>1</sup> Every temple also seems to have had its special superintendents of sacrifices.<sup>2</sup> It is remarkable, that in reference to certain sacrifices, we find, that, probably by the Athenians themselves, even isoteleis and foreigners were admitted to this office.<sup>3</sup> For the games there were athlothetaë, who superintended the celebration of the greater Panathenæa, probably, however, with the exception of the sacrifices,<sup>4</sup> and also agonothetaë, and other similar officers. One of the most esteemed dignities, finally, which Demosthenes associates with that of the superintendents of the mysteries, and of the sacrificers, Libanius with that of the sitones, military commanders, and ambassadors, was the office of the purchasers of

<sup>1</sup> The *ἱεροποιοὶ κατ' ἐνιαυτὸν* are mentioned in Beilage I. Pryt. 2. Etym. M. and Phot. on the word *ἱεροποιοί*, Pollux, VIII. 107, Lex. Seg. p. 265, are to be understood as treating of these. The *ἱεροποιοὶ* are mentioned with special frequency in Beilage VIII. once undoubtedly in relation to the Panathenæa, and in the passage, to which I refer the annual sacrificers, if my completion is correct, of which I do not doubt, are expressly mentioned. Three *ἱεροποιοὶ τῶν σεμνῶν θεῶν* are mentioned in Demosth. ag. Mid. p. 552, 6. The same passage is cited by Photius. They were elected out of the whole number of the Athenians, according to Demosthenes, not selected by lot. But Dinarchus mentioned a case, in which there were ten of them (Etym. M. on the word *ἱεροποιοί*), undoubtedly also elected. The *σεμναὶ θεαὶ* were the Eumenides (Ulpian, Schol. Æsch. p. 747; Reisk. Harpocr. Phot. on the phrase *σεμναὶ θεαί*, Lex. Seg. p. 303). Respecting the *ἐπιμύνηται*, see Hesych. on the words *ἐπιμύνηται*, and *ἱεροποιοί*, and the passages cited by the commentators, together with the remarks, C. I. Gr. Vol. II. p. 1153. Many examples of special *ἱεροποιοὶ* may be collected from the C. I. Gr. Some have been collected by Ussing in his Inscr. Gr. inedd. p. 47 seq. With regard to the duties of the *ἱεροποιοί*, as we learn from Demosthenes, they commenced the sacrifice, or immolated the victim (*τὸ κατέρξασθαι τῶν ἱερῶν*), and therefore actually offered the sacrifice. Hence they are viewed by the grammarians as actual sacrificers. But they were distinct from the priesthood, as were the treasurers (Aristot. Polit. VI. 5, 11, Schn.), and, at the same time, and in an especial manner, were administrative officers. Thus they were distinguished from the priests also in Beilage III. § 5, and in the same, § 7, together with the *ἐπιστάται*, and *ταμίαι*, and in C. I. Gr. No. 71, a., in a very ancient inscription they appear as administrative officers.

<sup>2</sup> Beilage III. § 7.

<sup>3</sup> Inscriptions in Ross v. d. Demeu. Nos. 21 and 12. With this may be compared the statement given in C. I. Gr. No. 70, a., if I have correctly completed the inscription, that the demus of the Scambonidæ had allowed to its aliens under the protection of the state a certain participation in the sacrifices even in ancient periods.

<sup>4</sup> See Beilage I. Pryt. 2; although the grammarians (see the Anm. on the same) assert that the sacrificers had nothing to do at the celebration of the great Panathenæa.

oxen (*βοῶνται*), who procured the fattened beasts, which were required for the sacrifices and feasts;<sup>1</sup> a proof of the consequence attached by the people to these arrangements, by which their appetites were even as much gratified as their piety, and which suggest the lively recollection of the roast beef of Old England.

### CHAPTER XIII.

#### DONATIONS TO THE PEOPLE BY THE STATE.

THE public donations, or distributions to the people (*διανομαί, διαδόσεις*), were very common. To these belong the distributions of grain, of which I have already treated,<sup>2</sup> the cleruchiæ, and the distribution of the revenues from the mines, before the time of Themistocles; and finally, the theoricæ, with the introduction of which Pericles is charged. For since on account of the small amount of his property, he was of necessity inferior to other statesmen and leaders of the people in liberality, he had recourse, according to the testimony of Aristotle, upon the advice of Demonides of Œa, to the distribution of the public revenues, and bribed the mass of the people, partly with the theoricæ, partly by the introduction of compensation to the judges, and of pay for other kinds of public services,<sup>3</sup> and at the same time amused them with pompæ, feasts, and other festive entertainments. The favorers of the Lacedæmonian manners, who, as Plato and his teacher, for example, were upon the true moral stand-point, clearly perceived that Pericles had made his Athenians covetous and lazy, loquacious and cowardly, extravagant, ill-tempered, and untractable, since he maintained them by dona-

<sup>1</sup> Demosth. ag. Mid. p. 570, 7, and Ulpian on the same; Liban. Declam. VIII.; Harpocr. Suid. on the word *βοῶντες*; Lex. Seg. p. 219; Harpocration: *ὅτι λαμπρὸς ἦν ὁ βούων καὶ αἱ μύσταί ἐρχαὶ ἐπὶ τούτῳ ἐχειροτονοῦντο*. Pollux, VIII. 114, erroneously mentions their offices among the services (*ὑπηρεσίαι*) of the state. They are often mentioned in Beilage VIII. and VIII. b.

<sup>2</sup> Book I. 15, of the present work.

<sup>3</sup> Plutarch, Pericl. 9. Comp. 11.



tions, pay, and cleruchiæ from the public treasury,<sup>1</sup> and gratified their sensuality and inordinate longing for enjoyment, by magnificent festivals. Indeed Pericles himself was a man of too much intellectual ability to fail perceiving these consequences of his measures. But he saw that there was no other possibility of maintaining his own predominance, and that of the Athenian people in Greece, than by supporting them in this manner. He perceived that the power of Athens would fall with him, and sought to maintain himself as long as possible. Moreover, his contempt for the mass of the people, was as great as his care in feeding them. Nevertheless, while Pericles lived, there was not wanting to the people either activity or public spirit to render those measures innoxious. And so long as neither injustice in foreign relations, nor laxness in public enterprises, nor irregularities in the state, arose from them, it may even have appeared just and equitable that the citizens should enjoy the fruits of their efforts and of their courage. Nor could Pericles foresee that twenty Olympiads after his death, the mass of the people would prefer to consume the revenues of the State in feasting, to undertaking a campaign for the preservation of their freedom; a corruption which was first occasioned by the base, covetous, and treacherous orators or demagogues, who flattered all the humors of the twenty-thousand-headed monster. These considerations may diminish our indignation against the policy of this great man. But yet he must have perceived this, that the oppression of the allies, the ochlocracy, and injustice toward the richer citizens, must of necessity, by his measures, be increased. Pericles himself augmented the tribute a little, but his successors much more, in order to defray these profuse expenses. The surplus of the tributes was brought in talents, at the celebration of the Dionysia, into the orchestra, to be distributed. Here the allies saw how their property was regarded.<sup>2</sup> To the restraining of the sovereignty of the people, the abolition of pay was very conducive. Hence, under the administration of the five thousand, (Olymp. 92, 1, B. C. 412), no officer of the government received any pay.<sup>3</sup> But this regulation was of very brief continuance.

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<sup>1</sup> Platon, Gorg. p. 515, E; Plutarch, Pericl. 9.

<sup>2</sup> Isocr. *Συμμαχ.* 29.

<sup>3</sup> Thuc. VIII. 97.

Finally, Aristotle,<sup>1</sup> even in his time, remarked, that the payments to the people were a source of danger to eminent citizens, since property taxes, confiscations of property, and the corruptibility of courts sprung from them. Property was not only confiscated to the state by judicial decision, in order to increase the revenues,<sup>2</sup> but the demagogues publicly said, at the trial of causes, that, unless this or that person should be condemned, the people could not receive their pay.<sup>3</sup> Hence the rich, in order to prevent the attacks of envy, frequently made voluntary donations.<sup>4</sup> The proceeds of confiscated property were even distributed among the citizens out of the ordinary course. Even the estimable Lycurgus squandered in this way 160 talents, the proceeds of the property of Diphilus. It was not enough also that, by these distributions, the state was robbed of its best resources for promoting advantageous and useful undertakings, but the desire to obtain the property of others was awakened, and the dissension between the rich and the poor was fostered. In the states of antiquity this latter was a continual and highly dangerous evil, and may become so at the present day.<sup>5</sup> Aristotle<sup>6</sup> says, with justice, "Where there are revenues, the course pursued by the demagogues of the present day must not be taken. For they distribute the surplus. They at the same time take it, and again need the same. Such a help for the poor is nothing else than the perforated cask." But the moral corruption which was thereby produced still surpassed the other evils. The Athenians themselves became, like the vessels of the Danaides, being constantly filled with the gratification of their desires, without ever becoming perfectly satisfied.

The origin of the theoricæ, that cancer of the public welfare of the Athenians, was in the money given for admission to the theatrical representations; for since, when the admission to them was gratuitous, through the concourse of many persons, a part of whom were not entitled to admission, crowds, fighting,

<sup>1</sup> Polit. VI. 3, Schn.

<sup>2</sup> Lysias ag. Nicomach. p. 861.

<sup>3</sup> Lysias ag. Epicrates, near the commencement.

<sup>4</sup> Herald. Animadv. in Salmas. Observ. ad I. A. et R. VI. 3, 13.

<sup>5</sup> Written in the year 1815.

<sup>6</sup> Polit. VI. 3, 4, Schn.

and other mischief were occasioned, while Athens had only a wooden theatre, in which by such disorder scaffoldings might be broken, and were actually broken, the state resolved to sell the seats for two oboli each. But, in order that the poor might not be excluded from the festivals, the money required for admission was paid to them, and each person, upon its delivery at the theatre, received his seat.<sup>1</sup> The rich undoubtedly at first disdained to accept this, as well as other donations in money,<sup>2</sup> although in the age of Demosthenes they accepted the theoricon,<sup>3</sup> and indeed must have been compelled to accept it, because disdaining it would have been interpreted as arrogance, and exalting themselves above the other citizens. The requiring of a sum of money, however, for admission to the theatrical representations, may have been introduced earlier than the payment of the theoricon by the state. It is very probable, that after the citizens had at first paid it for a time out of their own means, the state, from consideration for the poor, took upon itself the obligation to pay it. The date of the introduction of the requirement of a sum of money for admission to the theatrical representations, may not improbably be established at about the seventieth Olympiad (B. C. 500). It was about this date, that the scaffoldings fell, as Pratinas, and with him probably Æschylus, were exhibiting theatrical representations.<sup>4</sup> But the payment of the theoricon from the treasury of the state, was first occasioned through the instrumentality of Pericles.<sup>5</sup> When Harpocration names Agyrrhius as the author of the theoricon, in the more extended signification of pecuniary

<sup>1</sup> Liban. Argument of Demosth. Olynth. I.; Schol. on Lucian's Timon, 49; Suidas, in the first article on the word *θεωρικόν*, and Etym. on the phrase *θεωρικὸν ἀργύριον*. In the last, as in Photius, there is a blending together of the articles found in other grammarians. What is in Lex. Seg. (*δικ. ὀνόμ.*) 189, 29, does not deserve mentioning.

<sup>2</sup> Comp. Herald. Animadv. in Salmas. Observ. ad I. A. et R. VI. 3, 11.

<sup>3</sup> Philipp. IV. p. 141, 18. This speech, moreover, as Valckenær and Fr. Aug. Wolf correctly remarked (on the passage cited Book II. 7 of the present work), was not composed by Demosthenes, but has been patched up from genuine speeches of that orator, and has a sophistical tone. In particular, the defence of the theoricon on the 141 p. is in direct contradiction to the sentiments of Demosthenes.

<sup>4</sup> See Gr. Trag. Princ. p. 38, and particularly Herrmann de Choro Eumenidum Æschyli. Diss. II. p. VIII. XIV.

<sup>5</sup> Ulpian on Demosth. Olynth. I.; Plutarch, Pericl. 9.

donations, this refers to a later augmentation of the same, of which I will subsequently speak.<sup>1</sup> This donation of the theoricon filled the theatre.<sup>2</sup> Moreover, the money given for admission was paid to the lessee of the theatre or architect (*θεατρονόμος, θεατροπόλις, αρχιτέκτωρ*).<sup>3</sup> He was bound by his contract to keep the theatre in good order, and, as we see in reference to the Piræan theatre, paid the state something for the lease.<sup>4</sup> The unreliable Ulpian asserts, that only one obolus was given to the architect, and that the citizens received the other for their maintenance. But this is entirely unfounded, since two oboli, according to Demosthenes,<sup>5</sup> were the price of admission to the ordinary seats. The truth, however, lies, independently of this, at the foundation of Ulpian's remark, that theorica were at the same time paid to provide the citizens a meal.<sup>6</sup> The right to

<sup>1</sup> Petit. IV. 10, 9, unjustly reproaches the grammarian with confounding the theoricon with the pay for attending the assemblies of the people.

<sup>2</sup> Plutarch, de Sanit. Tuend. p. 372, Vol. I. Hutt. ed.

<sup>3</sup> Ulpian on Demosth. Olynth. I. Comp. Casaubon on Theophr. Char. 11. He is called architect by Demost. concern. the Crown, p. 234, 23.

<sup>4</sup> C. I. Gr. No. 102.

<sup>5</sup> Concern. the Crown, p. 234, 24. This is evidently the meaning of the passage. *Ἐν τοῖν δύοῖν ὀβολοῖν* means "on the seats whose price is two oboli." As this or that place in the market was called *ὀχθύνες, τὰ βιβλία*, etc., so the space occupied by the ordinary seats in the theatre was called *τῶ δύο ὀβολῶ*. The explanation of the phrase, according to the analogy of *ἐν Διονύσῳ*, is not allowable, since, according to that, *ἐν τῇ δύοῖν ὀβ.* would be expected (namely, *ἔδρα* or *θέα*). What is said in the scholia on this passage in reference to a price for admission of one or three oboli (p. 281 seq. of Bekker's ed. of the year 1815), is miserable prattle. The price of better seats must have been higher; but the accounts of a drachma as the price of admission deserve little credit. Suidas (in the first article on the word *θεωρικά*), Photius (in the first article on the same), and the Schol. on Lucian's Timon, Cap. 49, relate, that, in order that the rich might not have the advantage of the poor, the price of a seat was established by a decree of the people at only a drachma. The Schol. Luc. even says, that neither more nor less was to be paid. This seems to have been taken merely from the rate of the theoricon, cited by us subsequently, at a drachma for each citizen. The passage of Plat. Apol. p. 26, D, E, which was referred to the higher price of admission of a drachma, we have set aside in Book I. 9, of the present work. Moreover, if the price paid for admission went to the architect or contractor, it might seem strange, that Demosthenes jestingly acknowledged, that by the ambassadors receiving seats from the architect by his order, the state had lost a small advantage. But the explanation is, that undoubtedly the state was obliged to pay the lessee of the theatre for the seats of honor assigned to the ambassadors (*προεδρία*, Æsch. ag. Ctesiph. p. 466).

<sup>6</sup> Harpoer. on the word *θεωρικά* (from Philinus). From him are copied the second article in Suidas, and the third on the word *θεωρικά* in Photius. I will not, since this is the custom, always cite Suidas and Photius, where they contain nothing new.



receive the theoricon was acquired by having one's name registered in the roll containing the names of the citizens (*ληξιαρχικὸν γραμματεῖον*).<sup>1</sup> It was therefore distributed according to tribes, and demi, and individuals.<sup>2</sup> If any person was absent on a journey, no theoricon could be received for him. If, however, another received it for him, he exposed himself to the greatest danger. For example, Conon of Pæania was condemned to pay a talent, because he had received the theoricon for his absent son; and this seems also to have been considered a mild punishment.<sup>3</sup> The distribution of this money was made in the assembly of the people.<sup>4</sup> This was held sometimes in the theatre itself, especially when the distribution had reference to the celebration of the Dionysia;<sup>5</sup> and such donations were distributed also at the celebration of the Dionysia itself in the theatre.<sup>6</sup>

The theorica were soon extended further. Distributions of money were introduced for other purposes than that of theatrical representations,<sup>7</sup> but always for the celebration of festivals, in which there was for the most part some game, or procession to be seen, so that the name of the donation continued still applicable. So also the sums employed in sacrifices and for other solemnities, were comprised in the appellation theorica.<sup>8</sup> The theorica were paid not only at the celebration of the Panathenæa,<sup>9</sup> and Dionysia, but also at the recurrence of all the great festivals (*ἱερομηνίαι*).<sup>10</sup>

<sup>1</sup> Demosth. ag. Leochar. p. 1091 seq.

<sup>2</sup> Herald. ut sup. VI. 3, 10. In addition to him Lucian, Timon, 49.

<sup>3</sup> Hyperides ag. Demosthenes, in the fragments restored by me, p. 19 of the special impression taken from the A. L. Z. 1848 (Nos. 223–227), together with my note, p. 20. Harpocr. on the word *θεωρικὸν*, cites, in proof that absent persons were not permitted to cause the theoricon to be received for them, also the speech of Hyperides against Archestratides, either inadvertently, or because the subject was more amply treated in that speech.

<sup>4</sup> Æsch. ag. Ctesiph. p. 642, seq.

<sup>5</sup> Demosth. ag. Mid. p. 517; Æsch. de Fals. Leg. p. 241; C. I. Gr. No. 113, 122; Decree of the people in Joseph. Jud. Archæol. XVI. 8, 5.

<sup>6</sup> Isocr. *Συμμαχ.* 29.

<sup>7</sup> Libanius, ut sup.

<sup>8</sup> Harpocr. ut sup.; Hesych. on the phrases *θεωρικὰ χρήματα*, *θεωρικὸν ἀργύριον*, and *θεωροί*, together with the citations of the commentators; doubtful public document in Demosth. concern. the Crown, p. 266, 23. Comp. Book II. 7, of the present work.

<sup>9</sup> Hesych. on the phrase *θεωρικὰ χρήματα*; Demosth. ag. Leochar. as above cited.

<sup>10</sup> Ulpian on Demosth. Olynth. III.

The citizen was by them to be provided with the means of celebrating the day by the enjoyment of a better meal than ordinary. From this change in its design there even arose an uncertainty with respect to the derivation of the name theoricon, and Ammonius directly denies, in opposition to Cæcilius, that it had any reference to public spectacles (θέα).<sup>1</sup> Here arises the questions, whether with the extension of its object the rate of the theoricon for the several festivals was increased, and whether, in this way, the discrepancy in the accounts of authors may be explained. The grammarians speak generally with reference to the price of admission of two oboli,<sup>2</sup> and that that sum was the price of admission, is established. In a speech ascribed to Demosthenes, falsely, it is true, but not on that account unreliable,<sup>3</sup> the theoricon, for the distribution of which it is even represented that an assembly of the people was held, is assumed to have been two oboli. A jest of Aristophanes in the Frogs,<sup>4</sup> Olymp. 93, 3 (B. C. 406) seems to allude also to the theoricon of two oboli, when he says: "How much cannot the two oboli accomplish!" although the pay of the judges has been by this passage suggested to some. Nothing is more natural, therefore, than to refer the expression *diobelía* (διωβελία) to the theoricon, but not to the compensation of the judges. This, as will subsequently become evident, was never two oboli, any more than the pay for attending the assemblies of the people. The grammarians give such a fluctuating explanation of this word,<sup>5</sup> that we perceive

<sup>1</sup> Ammonius on the word θεωρός. He derives it, incorrectly, from θεῶν ὤρειν: διὰ τὸ ἐν ταῖς ἑορταῖς ἰς τοὺς θεοὺς εὐσεβεῖν καὶ ἐπιθύειν (as Valek. instead of ἐπιθεῖν corrects the passage) καὶ εὐφραίνεσθαι.

<sup>2</sup> Ulpian; Libanius; Suid. in the first article; Etym.; Phot. in the first article; Schol. Aristoph. Wasps, 1183.

<sup>3</sup> Περὶ συντάξεως, p. 169, 1.

<sup>4</sup> Verse 191.

<sup>5</sup> Etym. M. p. 280, 24; Lex. Seg. p. 237, 15: διωβελία, ὀβελοὶ δύο, οὓς ὁ δῆμος καθήμενος ἐμισθοφόροι. Neither on the word καθήμενος, nor ἐμισθοφόροι, contains any thing definite or decisive in favor of understanding διωβελία as referring to pay instead of theoricon. The people sat in the assemblies, in the courts, and in the theatre; and although the theoricon was not properly wages for labor done, yet the grammarian, especially if he was not accurately acquainted with the subject, might have used the expression ἐμισθοφορεῖν in its more general sense. Even in the speech Philipp. IV. p. 169, 8, ἐμισθοφορεῖν appears not merely in its general sense, but also even expressly according to the connection, to have been intended to refer to the theoricon. With still more certainty is καταμισθοφορεῖν used by Theopomp., quoted in Athen. IV. p. 166 E,

that they had not a clear conception of its signification. Beside them it is also found in Xenophon, Aristotle, and in inscriptions of a date prior to the archonship of Euclid. Xenophon<sup>1</sup> in his history of the period immediately subsequent to the battle near the islands Arginusæ, Olyn. 93, 3 (B. C. 406,) therefore, mentions Archidemus, who was at that time leader of the people (or demagogue), and had the charge of providing the diobelia. It was particularly the business of the demagogues to see that the theoricon was provided. Archidemus at that period accused Erasinides of having in his possession money from the Hellespont, which belonged to the state. What is more natural than to suppose that the former wished to cause this money and the fine of Erasinides to be distributed, and that Xenophon on that account, threw out an innuendo against him by the remark, that he was making provision for the diobelia or theoricon? Supposing it possible that this may have been an official duty, this would not be inconsistent with the fact, that the theoricon was assigned to the hellenotamiæ. For they were only the treasurers of the same, and were required to make the payment of it. But that it should be very often paid, and that a large sum should upon each occasion be received, the people might have allowed another, even officially, to provide. Moreover, Archidemus may have also been hellenotamias. Aristotle expresses an opinion against the practicability, and in a measure also against the utility of an equality of property in the state. Upon this subject he says, among other things; <sup>2</sup> "Further, the vileness of men is insatiable, and at first the diobolia (διωβολία) alone suffices, but when this has become customary, they constantly require more, until their desires become boundless. For unlimited is the nature of the desires, for the gratification of which the mass of mankind live." These words apply neither to the compensation

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with the most especial reference to the theoricon. The phrase ὁ τῶν Ἀθηναίων δῆμος τὰς προσόδους καταμισθοφορῶν seems to have been used in a different sense from that in which it is employed by Æschines ag. Ctesiph. p. 300. So the support of the ἀδύνατοι is directly called μισθός; Æschines used μισθοφορεῖν in reference to this, and the same expression and μισθός also are employed to express it by the grammarians.

<sup>1</sup> Hell. I. 7, 2, according to the judicious correction of L. Dindorf, derived from diligently tracing the indications of the manuscripts: Ἀρχέδημος ὁ τοῦ δήμου τότε προεστηκώς καὶ τῆς διωβελίας ἐπιμελόμενος.

<sup>2</sup> Polit. II. 4, 11, Schn. II. 7, Bekk.

paid to the judges, nor to the pay for attending the assemblies of the people, both which neither commenced with two oboli, nor went beyond the low rate of three oboli for each individual. Aristotle must have spoken of a still greater abuse, of one whereby through the distribution of the public revenues a sort of equality actually arose. He can, therefore, by diobolia have meant only the theoricon. In the inscriptions we find that Olymp. 92, 3 (B. C. 410)<sup>1</sup> one payment of the diobelia was made from the treasury in each of the prytaniæ, the third, fourth, and fifth. In the seventh prytania there were two payments of the same, amounting in all to sixteen talents, 4,787 dr. 3½ ob. In the following year<sup>2</sup> there were given in the second prytania four and a half talents for the diobelia in thirteen payments, but on only ten days of payment, however, from different branches of the treasury, in part in very small portions, even down to four and a half ob. These may have been additional donations partly pre-paid, partly paid after the celebration of the festivals, according to the momentary state of the funds in the hands of the treasurers. It is not necessary to suppose that there were exactly thirteen different diobelaiæ, especially since from different branches of the treasury, and three times, two payments were made in one day. If I am not deceived in my conjecture, the third payment of two talents, 987 dr. for the diobelia of Ægina was made to cleruchi, and indeed probably for a whole year. These cleruchi could not of course be considered as absent on a journey. All these payments were made to the hellenotamiæ. That the theoricon should be assigned to them was consistent, but it was much less compatible with the nature of their office, that they should be charged with the payment of the compensation of the judges.<sup>3</sup> And, besides, compensation for judges would hardly have been

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<sup>1</sup> Beilage I.

<sup>2</sup> C. I. Gr. No. 148; also in No. 149, 9, the diobelia is mentioned (comp. the Add.), and perhaps, also, in line 25.

<sup>3</sup> When the Schol. Aristoph. Wasps, 682, says that the triobolon, which the judges received was paid out of the tributes, this is an opinion, not a testimony; and what is asserted does not follow from the passage of Aristophanes, which signifies, only in an entirely general way, that this triobolon depended upon the power of Athens acquired by her citizens. I acknowledge, however, that an addition to the pay of the judges was given out of the tributes. But this was required to be delivered from the treasury to the colacretæ, not to the hellenotamiæ. For the colacretæ were the agents in relation to the pay of the judges.



paid to states consisting of cleruchi. All the facts are in favor of the opinion, therefore, that the diobelia was the same as the theoricon. Nevertheless, this diobelia might have been doubled, and multiplied for this or that festival, and it does not follow from the inscriptions, that upon the occasion, to which reference was made, two oboli only were given at each payment. But Philochorus in Harpocration asserts, that the theoricon was even originally higher. "The theoricon," he says, "was at first a drachma for admission to the theatrical representations, whence in subsequent times it received its name." And the grammarians represent the same to have been the rate in the year of the time of Diophantus, Olymp. 96, 2 (B. C. 395).<sup>1</sup> Lucian<sup>2</sup> speaks of the drachma and the three oboli, in such a connection that the former can be referred only to the theoricon, the latter to the pay for attending the assemblies of the people, or to the compensation to the judges. And in the spurious introductions to the speeches of Demosthenes to the people,<sup>3</sup> it is said: "With a drachma, and a chus (of wine, namely), and four oboli, the orators sustained the spirits of the people, as physicians do the dying." Unquestionably, therefore, the theoricon was very changeable.<sup>4</sup> Since, however, two oboli are mentioned, both in relation to earlier as well as to later times, the higher rate seems to have had its origin in the custom, already intimated, of doubling, or increasing threefold the regular rate for festivals, whose celebration continued several days; so that for festivals whose celebration continued for three days, it became a drachma, for those whose celebration required two days, four oboli. The double, or threefold, diobelia may also soon afterwards have been paid even for one day. Hence is explained, without depriving the theoricon of the appellation diobelia, how Philochorus could designate the drachma as the original rate. Probably a threefold theoricon was allowed for the greater festivals, such as the Panathenæa, and Dionysia. This would be, comparatively, even

<sup>1</sup> Hesych. and Suid. on the phrase δραχμὴ χαλαζῶσα; Zenob. III. 27.

<sup>2</sup> The Praise of Demosth. 36. J. M. Gesner understands in this passage, by the drachma the pay of the orators. But this was too inconsiderable, as a whole, to suppose that it is meant. Why did he not rather mention the pay of the senators?

<sup>3</sup> Page 1459, 27.

<sup>4</sup> Harpocr. ἄλλοτε μέντοι ἄλλως ὀρίσθη τὸ διδόμενον εἰς τε τὰς θεάς καὶ εἰς τὰς θυσίας καὶ ἑορτάς.

a small sum for the great Dionysia, since evidently games were celebrated at that festival for more than three days. And thus is explained also the account respecting the theoricon in the archonship of Diophantus. The objection to this explanation, that the state could not at that time have paid a theoricon of so large an amount because it had not yet recovered itself from its losses, is of no weight. On the one hand, the state was at that time beginning to improve its condition, and on the other, affairs were already so illy managed at Athens, that the public money was withdrawn from the promotion of the common welfare, and from supplying the pressing wants of the state, in order to employ it in distributions among the mass of the people. It was certainly in the period immediately subsequent to the anarchy the first object of the demagogues to restore the theoricon, and the citizen of humbler rank may have very much needed it in those years. For a large proportion of the foreign landed property owned by Athenians had been lost, and in Athens it had become difficult to find employment, wherewith to maintain oneself. From a passage of Harpocration,<sup>1</sup> somewhat obscurely expressed, it may be inferred that the restoration of the theoricon originated with the Agyrrhius, who flourished in this period, and who, as will be afterwards shown, about the same time increased threefold the pay for attending the assemblies of the people. Finally, our supposition explains also how, in the passage cited, falsely ascribed to Demosthenes, mention could be made, in the same breath, both of a drachma and of four oboli. For by both, in that passage, theoricon may have been intended. In addition to it, as may be concluded from the same passage, a chus of wine was also sometimes given.

If we estimate that eighteen thousand persons received the theoricon, and the number of those who received it could hardly have been less, the sum expended in the distribution of the single diobelia would have amounted to a talent. And since certainly it was paid for at least twenty-five to thirty days an-

<sup>1</sup> On the word θεωρικά: θεωρικά ἦν τὰ ἐν κοινῷ χρήματα ἀπὸ τῶν τῆς πόλεως προσόδων συναρπάγματα· τὰντα δὲ πρότερον μὲν εἰς τὰς τοῦ πολέμου χρείας ἐφυλάττετο καὶ ἐκαζέτο στρατιωτικά, ἔσπερον δὲ κατετίθητο εἰς τὴν τῆς δημοσίας κατασκευὴν καὶ διανομίαν, ὡν πρῶτον ἦρξεν ὁ Αἰγύρριος ὁ δημαγωγός. Photius has the same, only he omits what is the most important, the mention of Agyrrhius.

nally, we may estimate the lowest annual expenditure for it at twenty-five to thirty talents. It may, however, in prosperous times, have easily amounted also to double and threefold that sum. But there was a continual progress with respect to it; and as was previously remarked, all the money which should have been appropriated for carrying on war, was consumed in distributions of the theorica. That, however, the treasury of the theorica, which was squandered in this way, amounted to a thousand talents, as a modern author asserts, I have not been able to verify. But we find indeed a reliable testimony in Hyperides and Dinarchus,<sup>1</sup> that in the age of Demosthenes, a theoricon of five drachmas was paid at one time to each person entitled to receive it. The whole sum paid, therefore, if we estimate the number of the receivers at eighteen thousand, would amount to fifteen talents. The tenth part of this was promised by Demades for the celebration of the festival of the Choës.<sup>2</sup> Thus the Athenians yielded themselves to the Macedonian ruler. "With the death of Epaminondas," says Justin,<sup>3</sup> who undoubtedly had imbibed the thought from Theopompus, "fell also the virtue of the Athenians. For after he whom they emulated was dead, they squandered, sunk in sloth and torpor, the public revenues, which previously had been appropriated for the preparation of fleets and armies, in festivals and games, and, with the aid of the most famous performers and poets, they exhibited theatrical representations, being present more frequently in the theatre than in the camps, praising more superior verse-makers than superior generals. Then were the public revenues, with which previously soldiers and rowers had been maintained, distributed among the citizens of Athens." Thus Philip was enabled to raise his head. What in Pericles was the product of selfishness, was employed by corrupt statesmen, in order to operate upon the mass of a people who had become corrupt, for their destruction. We have here a striking proof how ruinous to the welfare of states is the immorality of those who have the direction of public affairs. For, were not the principal advocates

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<sup>1</sup> Hyperides ag. Demosth. p. 19, and the note on the same, p. 20.

<sup>2</sup> See Book II. 6.

<sup>3</sup> VI. 9. He says, at the end of the passage quoted, "*dividi ceptum est*," which is not entirely correct.

for the theoricon effeminate, immoral men, incapable of virtuous actions? That Agyrrius, who, by squandering the public revenues, had acquired so much favor, that after the death of Thrasybulus Olymp. 97, (B. C. 392), he was appointed general in his place,<sup>1</sup> and who enjoyed the reputation of being a great friend of the people, was a very effeminate man, was a farmer of the tolls and customs, and was in prison many years for embezzling the public money.<sup>2</sup> Eubulus of Anaphlystus attained, by his distributions of the theorica, the highest degree of popular favor,<sup>3</sup> and after his death great honors were conferred upon his memory, as upon the memory of Lycurgus and Demosthenes. Of these honors Hyperides treats in one of his speeches (*περὶ τῶν Εὐβούλου δωρεῶν*). But he was liable to the suspicion of philipizing, as much as any one, and industriously promoted the ruin of the state. The strict but intelligent Theopompus awarded him exact justice, acknowledging that he was not only a famous but also an active and careful demagogue, but alleging that under him, and through his pecuniary donations, Athens had reached the highest point of cowardice and sloth, since it even surpassed Tarentum in gormandizing and extravagance.<sup>4</sup> Finally, what shall we say of Demades, who promised, as already remarked, every Athenian fifty drachmas for the celebration of the festival of the Choës, in order to prevent the preparation of a fleet to support the Greeks against Alexander? Who was so

<sup>1</sup> Xenoph. Hell. IV. 8, 31; Diod. XIV. 99.

<sup>2</sup> See, respecting him, Harpocr. on Ἀγύρριος, and Valesius on the same article, also Suidas; then Demosth. ag. Timocr. p. 742, 16, who praises him in earnest; and Andocides concern. the Myst. p. 65, who in irony calls him τὸν καλὸν κάγαθον; and the collection of Meursius, Lect. Att. VI. 4.

<sup>3</sup> See Book II. 1 and 7 of the present work. Respecting the theorica which he distributed, see, in particular, Philinus in Harpocr. Phot. Suid. on this word.

<sup>4</sup> Theopompus had treated, in the tenth book of the history of Philip, of the Athenian demagogues, and namely of Eubulus. Some of his account of them is given by Harpocr. on Εὐβούλος, other portions by Athen. IV. p. 166, E. According to it, Theopompus had called him ἄσωτος. But the passage of Theopompus, cited in proof of this, refers to the Athenian people, not to Eubulus: καὶ τοσοῦτον ἄσωτία καὶ πλεονεξία διενήροχε τοῖς δήμοις τοῖς Ταραντίνων, ὅσον ὁ μὲν περὶ τὰς ἐστιάσεις εἶχε μόνον ἀκρατῶς, ὁ δὲ τῶν Ἀθηναίων καὶ τὰς προῖκοντας καταμισθοφορῶν διατετέλεκεν. This was perceived by Casaubon; but Schweighäuser confounds every thing again. Theopompus, however, had evidently censured Eubulus with severity, and had disparagingly compared him with Calistratus the son of Callierates, whose voluptuous life, it is true, he certainly condemned, but seems to have praised his political conduct.



utterly shameless as to call the pecuniary distributions the cement of the democracy?<sup>1</sup> Æschines himself did not dare to do this, since he declared himself at least against the squandering of the public revenues in luxury and excess,<sup>2</sup> having fine words upon his tongue, but deceit in his heart. But what also was the public and private life of Demades? A man of such brilliant intellectual qualities, that an old man could say of him, that he was above the state, while Demosthenes could only be called worthy of the state, he became an open traitor, because he served nothing but his lusts, and his principles were as light and flickering as his wit. In vain does he ask indulgence for doing many things against the dignity and magnanimity of the state, because he guided only the wreck of the ship of state, which had been cast away. He himself, as Plutarch happily expresses himself, was the wreck of the ship of state.<sup>3</sup> How shamefully did he yield himself to the will of Antipater; what pleasure did he take in all sorts of violations of law, and in wealth devoted to sensuality and gormandizing, smelling of scented ointments, and going about in a costly chlamys! He lived in such a way that Antipater never could give him money enough, and appropriately said of him, that in his old age, as of a victim dressed for sacrifice, there was nothing left of him but his tongue and his belly.<sup>4</sup> His base life hardly allows that human pity should regret his sad end.

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<sup>1</sup> Plutarch, Qu. Plat. X. 4.

<sup>2</sup> Æschin. ag. Ctesiph. p. 642.

<sup>3</sup> Plutarch, Phoc. 1. In this passage he calls him *ναυάγιον τῆς πόλεως*, which is not precisely shipwreck, but the wreck of a ship that has been cast away.

<sup>4</sup> Plutarch, Phoc. 20, 26, 30.

## CHAPTER XIV.

COMPENSATION FOR ATTENDING THE ASSEMBLIES OF THE PEOPLE,  
AND OF THE COUNCIL.

THE compensation paid for public services at Athens was of various kinds ; but the most important were that for attending the assemblies of the people, the compensation of the council, and that of the courts. The nature of democracy demands that the whole body of the people manage its affairs in an assembly, but that a committee prepare its business and decrees, superintend the former, and execute what has been decreed. That no wild government of the populace may arise, the people ought not to be paid for their participation in the administration ; and no revenue can be raised in a legal way for this purpose. But he who will participate in the administration of the government, should be able to maintain himself from his own income. Nevertheless Athens was not the only state in which the people were paid for governing themselves. A similar custom had been introduced by the demagogues in Rhodes.<sup>1</sup> With respect to the pay of the judges, it is equitable that they should receive a compensation for the trouble of judging, and this was at all times customary. None but oligarchical governments could compel the rich, by threats of punishment, to perform the duty of judging. In the democratic government, on the contrary, the poor were paid for it.<sup>2</sup> But so large is the number of judges in a democratic court, that the payment of the compensation to them requires a considerable income, which it is impossible to obtain without oppression. And if Athens, like other states, had adjudicated only its own lawsuits, there would have been less necessity for compensation to the judges, and the citizens would have diligently and industriously attended to their business. But to the very great injury of the allied states, Athens had arrogated to herself the jurisdiction over them, in order that

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<sup>1</sup> Aristot. Polit. V. 4, 2, Schn. (V. 5).

<sup>2</sup> Aristot. Polit. IV. 7, 2, Schn. (IV. 9), and IV. 11, 8, Schn. (IV. 14).

they might be entirely in her power, and it pleased the people that by this measure the customs and fees were rendered more productive, and the rent of houses and of slaves increased.<sup>1</sup> Hence, in the flourishing periods of the state, the number of the lawsuits became so great, that there were more causes to be adjudicated in Athens than in all the rest of Greece, and the course of legal procedure, when not accelerated by bribery, especially since it was suspended for so many days on account of the festivals, was extremely slow.<sup>2</sup> For expediting the process by means of bribery, there were in Athens, as in Rome, very good contrivances invented, and practised with considerable publicity. Many days almost the third part of the citizens sat as judges in the courts. Hence must of necessity have arisen that rage for adjudication which Aristophanes describes in his comedy of the Wasps. The citizens must have become not only eager for fees, and averse to all useful employment, but also disputatious and sophistical, and the whole city full of pettifoggers and chicaners, without a profound knowledge of the law, but the bolder for that reason, and the more reckless. According to the expression of the comic author, like sheep with staff and mantle, muffled up as judges, and sitting in the courts for a compensation of three oboli, they thought that they directed the business of the same, while they themselves were held in leading strings by the heads of parties.

With the *compensation for attending the assemblies of the people* (μισθὸς ἐκκλησιαστικὸς), the ruler paid himself. Callistratus and Agyrrhius contend for the honor of the invention. Happily, both can be satisfied. Pericles, so far as we know, had no participation in it, and at the same time it may be asserted with probability, that this compensation, at least in the first period of his administration, was not yet paid. "While the magnanimous Myronides ruled," remarks Aristophanes,<sup>3</sup> in reference to the compensation for attending the assemblies of the people, "no one administered the affairs of the state for money." Myronides was an older contemporary of Pericles.<sup>4</sup> After the

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<sup>1</sup> Treatise on the Athen. State, 3; Aristoph. Birds, 1430, 1465.

<sup>2</sup> Treatise on the Athen. State, 3, 2.

<sup>3</sup> Eccles. 302.

<sup>4</sup> Myronides was at the time of the battle of Salamis ambassador to Sparta (decree

period, therefore, when Myronides exercised the chief influence in the affairs of the state, and consequently some time after the commencement of the influence of Pericles, the compensation for attending the assemblies of the people was introduced. It was at first an obolus, afterwards three oboli. That until the introduction of three oboli for this purpose one was given, is clear from Aristophanes.<sup>1</sup> Callistratus, whose surname was Parnytes, or rather Parnope, was the person, it appears, according to a jest of a comic author<sup>2</sup> afterwards proverbial, who introduced the payment of an obolus as a compensation for attending the assemblies of the people a long time before the representation of the Ecclesiazusæ of Aristophanes. This was not exhibited before Olymp. 96, 4 (B. C. 393). But we have not any more particular knowledge respecting the matter, since this Callistratus is entirely unknown. The most famous individual of that name was Callistratus of Aphidna, the son of Calliocrates, who certainly seems to have been censured in the come-

of the people in Plutarch, Aristid. 10), and indeed together with the father of Pericles, Xanthippus. He was afterwards, Olymp. 80, 4 (B. C. 457), general at Oenophyta, and at that time at the summit of his glory. Thuc. I. 105, 108; IV. 95; Diodor. XI. 79, 81. Comp. Plutarch, Pericl. 16. What were the circumstances which occasioned the mention of him in the Demi of the comic author Eupolis (Plutarch, Pericl. 24), is not clear to me. The Myronides mentioned by Demosth. ag. Timocr. p. 742, 25, was another person.

<sup>1</sup> Eccl. 300 sqq. Aristophanes says: formerly, when only one obolus was given, there was not such a thronging to the assemblies of the people, as there is now, when the compensation is three oboli. If nothing had been given before the compensation was three oboli, he would have been obliged to say, there was not such a thronging when nothing was given.

<sup>2</sup> Append. Vatic. Proverb. III. 35; Paræmiogr. Gr. by Leutsch and Schneidewin, p. 437. Ὁ βολὸν ἔνευε Παρνύτης. Καλλίστρατος Ἀθήνησι πολυτενσάμενος, ἐπικαλούμενος δὲ Παρνύτης, μισθὸν ἔταξε τοῖς δικασταῖς καὶ τοῖς ἐκκλησιασταῖς· ὅθεν σκωπτόντων αἰτῶν τῶν κωμικῶν εἰς παροιμίαν ἦλθε τὸ γελοῖον. Plesych. Παρνόπη, Καλλίστρατος Ἀθηναῖος. Meineke, Fragm. Comm. Gr. Vol. IV. p. 700, conjectures Παρνοπίς as a feminine formed from Παρνοψ. But Παρνόπη is correctly formed; as Μερόπη, Ἀερόπη. With respect to the associating the judges in the above passage (τοῖς δικασταῖς) with the ecclesiastæ, I will speak of it when treating of the pay of the judges. If that expression is used to signify, that Callistratus increased the compensation of two oboli by the addition of one more, that is, augmented it to three, this in itself does not appear probable to me. Moreover, as can be shown, neither the compensation of the judges, nor that for attending the assemblies of the people, was ever two oboli, and, therefore, could not have been augmented from two to three oboli. That Petit, Leg. Att. III. 1, 3, is of opinion, that the ecclesiastæ here mentioned may have been the orators, is very natural, since Petit always adopts the view, which is the most unnatural.



dies.<sup>1</sup> He was a near relative of Agyrrius, a famous statesman, orator, and general, in the 100 and 101 Olympiads (B. c. 380–73).<sup>2</sup> He was censured on account of his private life by Theopompus, but praised for his activity.<sup>3</sup> It was he, who is said to have first excited Demosthenes to the study of eloquence by his successful speech in the well-known lawsuit respecting Oropus.<sup>4</sup> He was at that time acquitted, but was at a later period Olymp. 104, 3 (B. c. 362) condemned to death by a double judgment. He afterwards lived in Macedonia, namely, in Methone, and at a still later period in other places in Thrace, and also in Thasus, and was the founder and establisher of Datos.<sup>5</sup> He was undoubtedly the same individual, to whom was ascribed the improvement of the system of tolls and customs in Macedonia.<sup>6</sup> He was finally executed after his return from banishment.<sup>7</sup> But he lived at too late a period to have introduced the obolus. Much less can we suppose that it was introduced by the Callistratus who was Archon Olymp. 106, 2 (B. c. 355). But rather, to omit those of less note, Callistratus, the son of Empedus, may have been the person intended, who, in Olymp. 91, 4 (B. c. 413), as hipparchus, perished in the Sicilian expedition;<sup>8</sup> or Callistratus of Marathon, of the tribe Æantia, who Olymp. 92, 3 (B. c. 410) was treasurer of the goddess,<sup>9</sup> or that Callistratus, who, as knight of the tribe Leontis, was

<sup>1</sup> Meineke, *Fragm. Comm. Gr.* Vol. III. p. 209. Respecting him see in particular Demosth. *concern. the Crown*, p. 301, 18; ag. *Timocr.* p. 742, 23; *περὶ παραβρεσβ.* p. 436, 13; ag. *Næara*, p. 1353, 19, and p. 1359, 18; ag. *Timoth.* p. 1187, 7, p. 1188, 10, 1198, 10. The last-cited speech was, according to Harpocr. on the word *κακοτεχνῶν*, not composed by Demosthenes, and also, as is well known, that against *Næara*, if the passage of Harpocr. has not been corrupted. In *Xenoph. Hell.*, also, this Callistratus is often mentioned.

<sup>2</sup> See Book III. 18, of the present work.

<sup>3</sup> In *Athen.* IV. p. 166, E.

<sup>4</sup> Comp. *Ruhnck. Hist. Crit. Orat.* p. 140, Vol. VIII. of *Reiske's Orators*.

<sup>5</sup> Demosth. ag. *Polycl.* p. 1220, 1221; *Scylax*, p. 27; *Isocr. Συμμαχ.* 9. Comp. *Niebuhr, Denkschr. d. Berlin. Akad.* 1804–1811, *Histor. Philol. Classe.* p. 93, 94.

<sup>6</sup> *Aristot. Œcon.* II. 2, 22. According to *Arnold Schæfer*, who has given the best account of Callistratus in *Schneidewin's Philologus*, Jahrg. III. p. 607, he effected this as general in Olymp. 100, 3 (B. c. 378); according to others, during his banishment. Both are possible; but I find the latter more and more probable.

<sup>7</sup> *Lycurg. ag. Leocr.* p. 198.

<sup>8</sup> *Pausan.* VII. 16. In the *Lives of the Ten Orators*, this one is strangely confounded with the celebrated Callistratus of Aphidna.

<sup>9</sup> *Beilage I. Superscription.*

killed, at the period of the anarchy, by those who occupied the Piræus.<sup>1</sup> Perhaps, however, it was neither of these, but another, of the family of the famous Callistratus of Aphidna, but who lived long before him. This family seems to have had a rage for procuring distributions of donations among the people, since Agyrrius belonged to the same, and probably also Callicrates. We will mention the latter again, when treating of the compensation of the judges. The augmentation of the compensation for attending the assemblies of the people evidently was made shortly before the first representation of the *Ecclesiazusæ* of Aristophanes, in Olymp. 96, 4 (B. C. 393),<sup>2</sup> at the period in which Agyrrius restored the theoricon. To the same Agyrrius the scholiast of Aristophanes<sup>3</sup> ascribes the introduction of the compensation for attending the assemblies of the people. From this it may be conjectured, as Petit has also remarked,<sup>4</sup> that he was the augments of the same.

<sup>1</sup> Xenoph. Hell. II. 4, 18.

<sup>2</sup> Aristoph. Eccl. 302, 380, 392, 543; also in Plut. 329, this increased compensation is mentioned. This passage is therefore from the second edition of the comedy, represented Olymp. 97, 4 (B. C. 389). The first representation of it took place in Olymp. 92, 4 (B. C. 409). The triobolon, as a compensation for attending the assemblies of the people, is mentioned also by the Schol. Aristoph. Plut. 171.

<sup>3</sup> Eccl. 102.

<sup>4</sup> Leg. Att. III. 1, 3. When the Schol. Aristoph. Plut. 330, mentions an increase of the compensation to three oboli, which it is said was effected by Cleon, it is not clear, without any thing further, whether this is to be understood of the compensation for attending the assemblies of the people, or of that of the judges. The compensation of the judges should properly be the subject of discourse, according to the passage of Aristophanes. But the scholiast is embarrassed by the misconception, that in the ecclesia causes were adjudicated, but only by those who had reached their sixtieth year. We are at a loss, therefore, whether to refer the augmentation effected by Cleon to the compensation of the judges, or to that for attending the assemblies of the people. If it be referred to the latter, we would have to understand with Sievers (Gesch. Griechenlands vom Ende des Pelop. Krieges bis zur Schlacht bei Mantinea, p. 99), that Cleon had raised this compensation to three oboli, but that after the period of the anarchy it had been discontinued, and was afterwards restored by Agyrrius. But this is not admissible, since Aristophanes shows the contrary (see above). Much rather, therefore, is the augmentation of the compensation, which Cleon effected, to be referred to the compensation of the judges. The compensation of the judges, and that for attending the assemblies of the people, moreover, have been frequently confounded, both by ancient and modern commentators; for example, by Spanheim on Aristophanes, and by the scholiast of this comic author. The commentator, from whom is derived the remark on the *Clouds*, 861, even considers the *ὁδοῖς ἡλιαστικός* as the compensation for attending the assemblies of the people. This passage ought not to be corrected, unless perhaps it is wished to conceal the ignorance of the scholiast. Comp. respecting the

The number of the Athenian citizens cannot, as shown above, in the average, be assumed to have been over twenty thousand. To believe that there were thirty thousand persons present in assemblies of the people, would be folly. But of those twenty thousand there were many absent, in the country, or engaged in war, or in commercial transactions in foreign lands, and many who, although they were in the city, did not attend the assemblies of the people; so that, extraordinary cases excepted, we may not suppose that the assembly of the people was attended by even so large a number of citizens as twenty thousand. After the payment of the three oboli was introduced, however, the poorer class attended in considerable numbers. Formerly, when the ecclesiastes received only one obolus, says Aristophanes, in the *Ecclesiastusæ*, the people sat without, and chatted together. But now that they receive three oboli, they throng to the assemblies,<sup>1</sup> and earnestly strive for this small compensation.<sup>2</sup> The rich, however, were glad to absent themselves from the ancient assemblies of the people,<sup>3</sup> so that Aristotle<sup>4</sup> proposed to impose a punishment upon them, when they were not present, as was done in oligarchical governments with respect to the refusal to execute the duties of a judge, in order that there might be a salutary mixture of both the rich and poorer classes. The rich citizens, therefore, composed the smaller part of the assemblies. The number of citizens present in an assembly of the people can, I believe, even in time of peace, hardly be estimated on an average at eight thousand. We find in Thucydides,<sup>5</sup> as an official account in reference to the times of the Peloponnesian

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confounding of these two things, also, Schömann de Comitt. p. 69 sqq. I will mention in addition, that I have designedly not used Pollux VIII. 113, because his expressions are too indefinite to allow me to refer them with Meursius, Lect. Att. V. 12, VI. 4, to the compensation for attending the assemblies of the people of one obolus. The three words which are found in that passage of Pollux, namely, *τρίωβολον, δν' ὀβολῶ, ὀβελῶς*, may all of them much better be referred to the compensation of the judges.

<sup>1</sup> Aristoph. *Eccl.* 302 sqq. Comp. with it the judgment of Aristotle, *Polit.* IV. 12, 9, Schn. (IV. 15), that where the people were rich, or a compensation was paid to the ecclesiastæ, the people, being unoccupied, would often assemble, and decide every thing themselves, without being much influenced by the council.

<sup>2</sup> Aristoph. *Plut.* 329.

<sup>3</sup> Aristot. *Polit.* IV. 5, 5, Schn. (IV. 6).

<sup>4</sup> *Polit.* IV. 11, 8, Schn. (IV. 14).

<sup>5</sup> VIII. 72.

war, that, on account of warlike expeditions, and of business in foreign countries, hardly five thousand assembled, even on the most important occasions. Further, the number of six thousand voters, required by law for the passing of decrees which concerned an individual (*privilegiis*, or *νόμοις ἐπ' ἀνδράσι*), for example, which related to the so-called indemnity (*ἄδεια*), to naturalization, and to ostracism, but only for passing these, not for passing every decree of the people, contains a criterion for concluding that assemblies, in which that number voted in favor of such decrees, were more numerous attended than ordinary. That number is considered by Plutarch<sup>1</sup> alone as the whole number of those who were required to be present, and vote, in order that the assembly might be a valid one to decide with respect to a question of ostracism; so that, if this number did not actually vote, the ostracism could not be carried into execution. If that number were present, a separate vote was taken in respect to each individual concerned, and he who had the majority of votes against him was banished. By this Plutarch must have understood the absolute majority of those who were present. After frequently considering this subject, notwithstanding the information respecting it that is derived from Thucydides, I am constrained decidedly to oppose this opinion. But rather with respect to all matters that concerned individuals, the agreement of at least six thousand voters was required, and only by the affirmative voting of that number, of course when they formed the majority, was a matter of that nature decreed. This is expressly attested by Philochorus,<sup>2</sup> with respect to the ostracism. From him the same account of it is derived almost verbally by the scholiast on Aristophanes,<sup>3</sup> and by Philemon.<sup>4</sup> Pollux<sup>5</sup> clearly gives the same account of it in other words. An article of the lexicographers,<sup>6</sup> composed also in other words, is expressed more am-

<sup>1</sup> Aristid. 7.

<sup>2</sup> In the Appendix to the Eng. ed. of Photius, p. 675.

<sup>3</sup> On the Knights, 851.

<sup>4</sup> Lex. Technol. p. 89, Osann.

<sup>5</sup> VIII. 20.

<sup>6</sup> Etym. M. 349, 14. *ἑξακισχίλιων δὲ γινομένων (τῶν ὀστράκων) φυγὴ δεκατῆς ψηφίζεται τοῦ κρινομένου.* Timæus, Lex. Plat. p. 114, Ruhnk. *τῶν ὀστράκων ὑπὲρ ἑξακισχίλια γινομένων φυγὴ δεκατῆς ψηφίζεται τοῦ κρινομένου.* Ὑπὲρ ἑξ. alone is certainly false; *ἑξακισχίλιων ἢ ὑπὲρ ἑξ.* would be correct.



bignously, but must, however, have the same meaning. With respect to the indemnity, the law recited in Demosthenes<sup>1</sup> mentions expressly, that it could not be decreed unless at least six thousand Athenians voted, and indeed by secret and *unanimous* ballot (ἐὰν μὴ ψηφισαμένων Ἀθηναίων μὴ ἑλαττον ἑξακισχιλίων, οἷς ἂν δόξη κρύβδην ψηφισομένοις). But Demosthenes himself expresses this in what follows, more briefly thus: "there must not less than six thousand vote;" because it was known already from the law how this was to be understood. From his method of expression, in his speech against Neæra,<sup>2</sup> where he asserts that the conferring of the right of citizenship would not be valid, unless over six thousand citizens had voted by secret ballot, affirmative votes are to be understood. Although he says "over six thousand," instead of "six thousand," yet there need be no dispute about this, since it is hardly possible that exactly six thousand affirmative votes were commonly given, when that right was conferred. All these cases, finally, were derived from the general law respecting matters relating to individuals, which in two digests, one made before the archonship of Euclid,<sup>3</sup> and the other during the same,<sup>4</sup> without variation, prescribed that privileges should not be granted, nor the absolute rights of individuals be taken away, unless six thousand (or at least six thousand) citizens voted to that effect by secret and unanimous ballot. From these circumstances we may infer that six thousand votes were considered a large majority in matters of importance. The presence of more than eight thousand, therefore, was hardly ever expected. But in the period when the state was declining, the assemblies of the people, even when unimportant matters were under discussion, and commonly on account of the compensation, may have been more numerously attended than previously. If we estimate the number present at eight thousand, the compensation paid to an assembly, at three oboli for each person present, amounted to about four thousand

<sup>1</sup> Ag. Timocr. p. 715, 3. Comp. the words of the orator, p. 715, 15.

<sup>2</sup> P. 1375, 15.

<sup>3</sup> In Andoc. concern. the Myst. p. 42: ἐὰν μὴ ἑξακισχιλίοις δόξη κρύβδην ψηφισομένοις.

<sup>4</sup> In Demosth. ag. Timocr. p. 719, 5: ψηφισαμένων μὴ ἑλαττον ἑξακισχιλίων, οἷς ἂν δόξη κρύβδην ψηφισομένοις.

drachmas. There were forty regular assemblies annually. The extraordinary assemblies, which, moreover, were very numerous attended, surpassed, in very unquiet times, the ordinary assemblies in number.<sup>1</sup> In the average, however, we can hardly estimate more than ten annually, one for each prytania; so that the compensation paid for attending assemblies of the people cannot be estimated higher than from thirty to thirty-five talents annually. The assertion, therefore, that it was a heavier burden upon the treasury of the state, than the compensation paid to the judges, is erroneous.<sup>2</sup> The payment was made to the citizens as they entered the assembly, by the thesmothetæ.<sup>3</sup> Those who came too late received nothing.<sup>4</sup>

Not much less in amount was the disbursement for the compensation of *the council of the five hundred* (μισθὸς βουλευτικός). This was a drachma for each day on which the council assembled to each of its members.<sup>5</sup> But the days of assembling were for the most part the same as those on which the courts met, namely, all except festival days. These were the only days of vacation for the senators. The number of the days on which they assembled in each year, therefore, was about three hundred.<sup>6</sup> The expenditure, then, for this purpose, amounted to twenty-five talents annually. In what manner the compensation of the council was paid we know not. It was probably paid daily. When the four hundred abolished the democratical form of government, and drove the senate out of the council house, they paid the senators their compensation for the whole of their remaining time, which can mean nothing else than the remainder of their official year.<sup>7</sup> The oligarchical governments paid at other times no compensation.

<sup>1</sup> Æsch. *περὶ παραπρεσβ.* p. 251.

<sup>2</sup> As Meiners asserts, *Gesch. d. Urspr. Fortg. und Verf. d. Wiss.* Bd. II. p. 150.

<sup>3</sup> Aristoph. *Ecl.* 290.

<sup>4</sup> Aristoph. the same, and 381.

<sup>5</sup> Hesych. in *βουλευτικὸς λαλεῖν*; Xenoph. *Hell.* II. 3, 48, Schn. and the commentators.

<sup>6</sup> Comp. Aristoph. *Thesmoph.* 85. Originally, the senate sat on some of the festival days for the performance of public business, and were not released until a later date, as is shown by the document in *Athen.* IV. p. 171, E, from attendance upon business on those days.

<sup>7</sup> *Τὸν ἐπὶ τοῖσι χρόνοις παντός*, Thuc. VIII. 69. This passage is explained as above by the erudite Vischer. The mention of the oligarchical party, and of the *hetærai* in *Athen.* p. 28, and the words themselves clearly express this. Krüger, *Dionysii Historiogr.* p. 377, gives another explanation.

## CHAPTER XV.

## COMPENSATION OF THE COURTS.

THE most important item among the ordinary payments in time of peace was *the compensation paid to the judges* (μισθὸς δικαστικός). The introduction of the same is ascribed to Pericles, in a paragraph of Aristotle's Politics,<sup>1</sup> which Götting with reason declares to be spurious. But there is no reason to doubt that the assertion contained in it is correct. Upon the evidence of another testimony of Aristotle, the tradition has been transmitted to us that the compensation of the judges did not remain as at first established, but was altered from its original amount.<sup>2</sup> What then were these changes, and when were they made?

If we follow the analogy of the compensation for attending the assemblies of the people, we must infer that the pay of the judges was at first an obolus, and afterwards three oboli. With respect to the latter sum there is no doubt. An intermediate rate of the compensation for attending the assemblies of the people is not mentioned. Judging from analogy, therefore, we would infer that there was none with respect to the pay of the judges. Besides, the latter was introduced earlier

<sup>1</sup> Polit. II. 9, 3, Schn. (12 Bekk.). Comp. Plutarch, Pericl. 9. His expression, however, is too general to be considered a proof of the introduction by Pericles of the compensation paid to the judges.

<sup>2</sup> Schol. Aristoph. Wasps, 299, 682; on the latter passage from Aristotle's Politicæ; Schol. Clouds, 861; Plut. 329; Birds, 1540; Hesych. on the word δικαστικόν; Suid. on the word ἡλιασταί. Respecting the expression of the grammarians, comp. Hemsterh. on Plut. the passage last cited. Although the grammarians in other places often confound the compensation of the judges, and that paid for attending the assemblies of the people, it must not be supposed that this has happened here where they speak of a change of the compensation of the judges. The Scholiast, who refers in relation to it to Aristotle's Politicæ (not to his Politics, as is thought by some), would not have made so awkward a mistake. Petit, as usual, Leg. Att. III. 1, 3, founds false views upon a misunderstanding of the Schol. Aristoph. Gottfr. Herrmann in his second edition of the Clouds, Preface, p. L. sqq., endeavors to show that the compensation of the judges was always three oboli. I do not find that he has given a good reason for his opinion. His criticisms and censures are nullified, I hope, by the above representation of the matter.

than the former by Pericles. The compensation for attending the assemblies of the people was not introduced by him. It seems to have arisen from imitation of the compensation paid to the judges. As the former was at first an obolus, the same was the amount of the latter, which existed before it, and of which the former was an imitation. So, at a later period, the compensation paid for attending the assemblies of the people was fixed at three oboli, long after the pay of the judges had been raised to this amount. What we read in Aristophanes corresponds with this view. Strepsiades says, in the *Clouds*,<sup>1</sup> that he had employed the first heliastic obolus, which he received, in purchasing a little wagon for his son, who was at that time six years old. Although after frequent consideration of this passage I have thought, that this could be considered as a light expression, which did not prove that Strepsiades, when he received, for the first time, the compensation for performing the duties of a judge, had received only exactly an obolus, yet it appears to me, however, that the ancients were accustomed to speak with more precision. And since an account of a change in reference to the compensation of the judges has been credibly transmitted to us, and the analogy of the compensation paid for attending the assemblies of the people, leads to the inference that the compensation of the judges was originally an obolus, I have no hesitation in explaining the passage of Aristophanes in accordance with that inference. Since the little son of Strepsiades is introduced in the *Comedy of the Clouds* about Olymp. 89, 1 (B. C. 424) as an extravagant horseman, there lies at the foundation of the account above given, the conception that about Olymp. 84 or 85 (B. C. 444-40) the compensation of the heliastæ was an obolus. But it may have been introduced considerably earlier, perhaps as early as the period when Pericles, at the same time that he diminished the power of the Areopagus, increased that of the judges selected by lot. Moreover, a trace of the heliastic obolus might be sought in the witty expression of the comic author in reference to Callistratus, as the "inventor of the obolus," because the ancient explanation of the same points to the compensation of the judges, as well as to

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<sup>1</sup> Verse 861.



that of the ecclesiastæ.<sup>1</sup> But the account respecting Callistratus is sufficiently explained by a reference to the compensation paid for attending the assemblies of the people, and Callistratus was not the deviser of the compensation of the judges, but Pericles. It seems also very improbable to me that Pericles in this matter, as in impairing the power of the Areopagus, put forward another, and thus deprived himself of the merit of it with the people. The Scholiast illudes us with the mention of a compensation to the judges of two oboli at the date of the first representation of the *Frogs* of Aristophanes. It is also said, that a drachma was received in that age by the judges.<sup>2</sup> With regard to the latter, there is evidently a confounding of the compensation of the judges, either with the drachma paid to the diatetæ, or with the compensation paid to the orators (*μισθὸς συνηγοριῶν*). This last is mentioned in a passage of Aristophanes, which the Scholiast perhaps referred to the compensation of the judges. There is found, besides, in the Scholiast on the comedies of the *Birds* and of the *Wasps*,<sup>3</sup> the indefinite rumor of a compensation to the judges of two oboli; namely, it is said that the judges had sometimes received two oboli. Either the grammarian inferred this from the words in the comedy of the *Frogs*: "What cannot the two oboli accomplish," or he had heard something concerning the diobelia, and considered it the compensation of the judges. Pollux<sup>4</sup> also seems to have assumed a compensation to the judges of two oboli, but without foundation. This compensation to the judges of two oboli entirely disappears when the undisputed heliastic triobolon is more closely examined. The grammarians,<sup>5</sup> in particular, fre-

<sup>1</sup> See Book II. 14, of the present work.

<sup>2</sup> Schol. Aristoph. *Frogs*, 141. Comp. in reference to the drachma mentioned in the *Frogs*, also Schol. *Wasps*, 656. Welcker on the *Frogs*, the passage already cited, acknowledges, it is true, that the triobolon might have been introduced earlier, but he wishes to retain the explanation of the Scholiast, since he believes that Aristophanes merely speaks of two oboli, according to the ancient manner of expression, although at that time three were received. This is hardly admissible, and I doubt not that he will prefer my explanation.

<sup>3</sup> *Birds*, 1540; *Wasps*, 299. Dindf.

<sup>4</sup> VIII. 113, according to Spanheim's explanation of Aristoph. *Clouds*, 861, which, as is intimated above, I prefer to that of Meursius, without, however, with Spanheim, believing the account of Pollux.

<sup>5</sup> Pollux, VIII. 20; Hesych. on the word *δικαστικόν*; Suidas on the words *ἡλιασταὶ* and *βακτηρία*; Schol. Aristoph., beside the passages already particularly cited, Plut. 277;

quently mention this with the acknowledgment, at the same time, of the change which had taken place. If, for example, this triobolon was introduced as compensation to the judges earlier than the first representation of the *Frogs* of Aristophanes, that is, in Olymp. 93, 3 (B. C. 406), no one will believe that the Athenians afterwards, to the damage of their purses, reduced the same; and it was actually introduced earlier. The triobolon appears as compensation to the judges, as its connection with the *colacretæ* shows in the *Birds* of Aristophanes,<sup>1</sup> Olymp. 91, 2 (B. C. 415), and indeed much earlier than that date in the *Knights*, Olymp. 88, 4 (B. C. 425), and in the *Wasps*, Olymp. 89, 2 (B. C. 423).<sup>2</sup> In both comedies Cleon, in particular, is ridiculed; and in the *Knights* he is plainly represented as a favorer of the triobolon,<sup>3</sup> and he exultingly promises in the same comedy, that he will always take care, that it shall never fail, and flatters the people by predicting that, in accordance with ancient oracles, they would at a subsequent period administer justice in Arcadia for a compensation of five oboli a day; namely, as the Scholiast adds, when the Peloponnesians should be conquered.<sup>4</sup> If we accept the testimony of the Scholiasts on Aristophanes in reference to this matter, it is clear even to certainty that no one but this notorious demagogue, in the prime of his influence, about the 88th Olymp. (B. C. 428), raised the compensation of the judges from one to three oboli. In a scholium on Plutus,<sup>5</sup> for example, the compensation of the *ecclesiastæ* is, it is true, properly the subject, but the Scholiast expresses the belief, that certain *ecclesiastæ* sat in judgment in the assemblies of the

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*Wasps*, 299; Suid. and Phot. on the word *σύμβολον*; Schol. Demosth. in Reiske's ed. Vol. II. p. 133; Lucian, also, *Bis Accus.* 12 and 15. I omit several other passages because they contain nothing which renders them worthy of citation.

<sup>1</sup> Verse 1540.

<sup>2</sup> *Knights*, 51, 255; *Wasps*, 607, 682, 688, 797, 1116. This triobolon is also mentioned in the *Hora* of Aristophanes (Hesych. on the word *δικαστικόν*), and also by the comic author Phrynichus (Schol. Aristoph. *Wasps*, 299).

<sup>3</sup> *Knights*, 255.

<sup>4</sup> *Knights*, 797. Spanheim on the *Clouds*, 861, has very strangely misunderstood this passage, and has inferred from it that in Arcadia the compensation of the judges was five oboli. The honest Arcadians of course never thought of receiving a compensation when they performed the duties of judges; but Cleon amused the Athenians with the prediction of an extension of their jurisdiction even to the centre of the Peloponnesus, and of their receiving a rich compensation from its exercise.

<sup>5</sup> Verse 330.

people, and adds, in his incorrect language: "The demagogues caused that these ecclesiastæ (it is not clear whether he meant all the ecclesiastæ, or only those who, he supposed, sat in judgment) received something from the state, by persuading the state to allow it. But Cleon afterwards raised this to a triobolon." The last account, notwithstanding the ignorance of the Scholiast in reference to other matters, is not liable to suspicion. It cannot be referred, however, to the compensation of the ecclesiastæ, which, as has been shown, was made a triobolon some years after the anarchy, long after Cleon's death.<sup>1</sup> Consequently, it was the pay of the judges which Cleon raised to three oboli. The same is said by the Scholiast on the Wasps<sup>2</sup> without any ambiguity. Of these three oboli, one was said to have been given for bread or grain, another for the opson, and one for wood.<sup>3</sup> The hero Lycus, under whose protection the administration of justice was, also regularly received his three oboli when there was a session of a court in a court-house, where he had a sanctuary.<sup>4</sup>

We know of no further increase of the compensation of the judges beyond three oboli. There is found, however, beside these, a remarkable account connected with a proverbial expression. When something very great, or surpassing the ordinary measure was mentioned, the expression was used: "this surpasses that of Callicrates (*ὑπὲρ τὰ Καλλικράτους*)!"<sup>5</sup> Clearchus derived the origin of this expression from the great wealth of a Callicrates of Carystus. Aristotle, in his treatise upon the Athenian State, on the other hand, had said that a certain Callicrates was the first who had excessively increased the compensation of the judges (*Καλλικράτην πρὸς πρῶτον τοὺς δικαστικοὺς μισθοὺς εἰς ὑπερβο-*

<sup>1</sup> See Book II. 14, of the present work. Gottfr. Hermann has entirely overlooked this point, and thereby nullified his whole view of the subject. Roscher, Thucyd. p. 418, among others, agrees with me.

<sup>2</sup> Verse 299.

<sup>3</sup> Schol. Wasps, 300.

<sup>4</sup> See Hudtwalcker v. d. Diat. p. 14.

<sup>5</sup> Suidas, and Photius on the phrase *ὑπὲρ τὰ Καλλικράτους*; Plutarch, *Prōv. Alex.* No. 111; Zenob. VI. 29; and, without mentioning Diogenian, VIII. 62, who refers to Aristotle, Arsenius Violet. p. 458; and others, to whom reference is made in the Collections of Proverbs (*Sprüchwörter-sammlungen*), p. 170 and 318 Götting. ed. In some of these Corinth is found instead of Carystus.

λίη ἀξίῳ); an account which cannot be destitute of foundation. But this cannot be referred to the triobolon. Who will believe, that the introduction of that payment to the judges appeared to Aristotle, or even to the Athenians, to be so extravagant, that from it the former could explain the use of this proverbial expression, or the latter form such expression? And even if a still higher, and very extravagant compensation to the judges had actually been introduced by Callicrates, it would have been a matter so well known, that Clearchus would not have attributed another origin to the proverbial expression. I consider, therefore, the account transmitted to us from Aristotle to be not entirely accurate. Aristotle must have spoken only of a highly extravagant proposition of Callicrates, which was rejected and ridiculed. This may indeed have been the first proposition made, and a more moderate one may have afterwards been proposed, and carried by Cleon. The *augmentation* mentioned by Aristotle must be considered merely as a proposed increase, which was not carried into execution.<sup>1</sup> This Callicrates may have been the father of the famous Callistratus of Aphidna, or another of the same family, the partiality of which for causing donations to be distributed among the people has already been remarked. All the circumstances of the case forbid the idea, that Callicrates the son of the famous Callistratus was the person intended. The date of the transaction must have been much earlier than the period in which he lived.

The payment of the compensation of the judges was one of the duties of the colacretæ, and might be made by them even in those cases, in which the treasurers of the goddess were required to furnish the money. It was made at every single session of any court,<sup>2</sup> and in the following manner. Beside the official verge each judge received upon his entrance into the judgment-hall a small tablet (called σέμβολον). At the adjournment of the court he gave this tablet upon leaving the hall to the prytanis, and received in return his compensation. He who came too late

<sup>1</sup> It may be supposed that Aristotle expressed himself somewhat in the following manner: Πρωτοὶ μὲν Καλλικράτης εἶπε τὸν δικαστικὸν μισθὸν εἰς . . . ἀξίῳσσαι . . . ἵσπερον δὲ Κλέων . . .

<sup>2</sup> Lucian as last cited.



to the session of the court ran the risk of receiving nothing.<sup>1</sup> To provide for the expense, in the first place, the prytaneia must have been designed, when civil causes were in controversy. But this fund could not possibly have been sufficient. For the prytaneia in relation to the number of the judges amounted to but a small sum.<sup>2</sup> The other public revenues, therefore, must have added something, particularly the fines imposed, and in the more ancient periods, probably, the treasury composed of the tributes.<sup>3</sup> The amount of the disbursements for this purpose was estimated by Aristophanes at 150 talents annually; for he assumes that there were three hundred court-days, and six thousand judges daily, who received the triobolon.<sup>4</sup> And that the expense was not small, other accounts also inform us. The estimation of Aristophanes, however, was evidently founded upon the greatest number of judges in session at any one time. This was six thousand. But they were not all in session every day. Six thousand were appointed for every year. But out of these the judges were selected for every single cause, and they did not receive any compensation, until they were actually assigned to a particular court. The ten ordinary Athenian courts, each consisting of five hundred judges, required daily in all at the most five thousand.<sup>5</sup> There are mentioned, it is true, so-called great courts also, of one thousand, fifteen hundred, two thousand, even six thousand judges, but on the other hand also small courts of 201, 401, etc.<sup>6</sup> The expense, therefore, may have been somewhat less than Aristophanes estimates it. We will, however, let his

<sup>1</sup> Schol. Arist. Plut. 277; and especially Aristotle on the Ath. St. quoted in the scholium on the 278th verse; further Suidas on the word *βακτηρία*; Etym. on the word *σύμβολον*; Pollux, VIII. 16; Aristoph. Wasps, 710.

<sup>2</sup> See Book III. 9, of the present work.

<sup>3</sup> Comp. Schol. Aristoph. Wasps, 682.

<sup>4</sup> Wasps, 660 sqq. with the scholium. About sixty festival days, on which the courts did not sit, are not too many for Athens. There remain, then, three hundred court days. Comp. Book I. 12, of the present work. Aristophanes has not deducted the days, on which assemblies of the people were held, nor the *ἡμέραι ἀποφράδες*. I cannot find, that there were vacancies of court during the whole of the month Scirophorion, as is supposed by Hudtwalcker v. d. Diät. p. 30. Demosth. ag. Timocr. p. 704, 25, and indirectly Lysias ag. Evander, p. 790, express themselves to the contrary.

<sup>5</sup> See Matthiä, Misc. Philol. Vol. 1st, p. 251 sqq.; comp. also, p. 158.

<sup>6</sup> Beside Matthiä, see Pollux, VIII. 53, and 48; Lex. Seg. p. 310, 30; and p. 189, 20; Phot. on the word *ἡλιαία*. Finally, comp. in particular Der Attische Prozess von Meier, und Schömann, p. 138 sqq.

determination of it for the periods before the time of the anarchy pass, as probably nearly correct, and will estimate the cost of the administration of justice at 150 talents, especially since many other small expenses, beside the compensation of the judges, must have been required by the courts. But after the archonship of Euclid, when the confederate states had renounced the league, there could not possibly have been so many judges, as there were before, and the cost must, therefore, have been less. Moreover, since in time of war the courts, frequently at least, did not sit,<sup>1</sup> the expenses on their account, during those periods of vacation, consequently ceased.

The compensation of the *diätetæ* was independent of the treasury of the state. They were paid for each cause in the gross, and indeed by the contending parties themselves. The *diätetes* received, when the complaint was first entered, a drachma (*παράστασις*) from the complainant, and the same sum from the defendant, when he made his *antomosia*; the same whenever a motion was made for an adjournment of the cause (*ἐπομοσία*); and again the same when opposition was made to such motion (*ἀνθυπομοσία*).<sup>2</sup> An insignificant grammarian<sup>3</sup> asserts, that many causes were brought before the *diätetæ*, and that the public authorities employed all possible means to prevent the constituting of courts, in order that the state might not be liable to so heavy an expense for the compensation of the judges. But to infer from the disposition of the Athenians, such a motive could have operated at most only in periods, when the state was extremely poor, and as a general rule the distribution of pecuniary donations for the support of the people was favored.

<sup>1</sup> *Lys. περὶ δημοσ. ἁδικ.* p. 590.

<sup>2</sup> Pollux, VIII. 39, 127; Harpocr. on the word *παράστασις*, and from him Suid. and Phot.; *Lex. Seg.* p. 290, 298. *Παρακατάστασις* is found in the same signification in Phot. Etym. M. and *Lex. Seg.*; comp. Hudtwalcker v. d. *Diät.* p. 14 sqq., and particularly Meier v. d. *Diäteten*, p. 13 sqq. The latter, however, combats this appellation. The same is also of the opinion that these fees fell to the state, and that the public *diätetæ* were paid by it a drachma for every day on which they were officially occupied. This opinion is opposed by Westermann (*Berichte über die Verhandlungen der K. Sachsischen Gesellschaft d. Wiss. zu Leipzig*, 1 Bd. S. 450 seq.).

<sup>3</sup> Schol. Demosth. in Reiske's ed. Vol. II. p. 133. To this assertion Hudtwalcker accedes, as above cited, p. 34.

## CHAPTER XVI.

## CONCERNING THE OTHER PUBLIC OFFICERS AND SERVANTS WHO RECEIVED COMPENSATION.

THE compensation of the public *attorneys* or *orators* (μισθοὶς *συνήγοροῦς*), occasioned a small expenditure. This, amounting to a drachma, was paid, as the scholiast of Aristophanes asserts, only when they spoke on behalf of the state. The words of Aristophanes himself lead to the same conclusion.<sup>1</sup>

*Ambassadors*, also, received a compensation in ancient times. And although permanent embassies, an invention of the French, were not known, yet the expenses of embassies may be considered among the regular expenditures, since ambassadors were very frequently sent, and when they travelled to a great distance, for example, to Persia, they remained a long time at the place of their destination. The ambassadors sent to Philip of Macedonia attended him even on the march, and on his journeys.<sup>2</sup> When ambassadors had arrived at the place of destination, it was not necessary for them to live at their own cost. They not only received presents, as public guests, as well from free states as from kings,<sup>3</sup> and were honored sometimes by the former by having the front seats assigned to them at the dramatic representations, as is seen in the orations of Æschines and Demosthenes concerning the Crown, but they were also hospitably entertained. They abode commonly with the *proxenus*; an example occurs, however, where an embassy to Philip, for special reasons, preferred the inn.<sup>4</sup> But the state paid them

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<sup>1</sup> Aristoph. *Wasps*, 689, and Schol.

<sup>2</sup> Demosth. *Philipp.* III. p. 113, 18.

<sup>3</sup> Demosth. *περὶ παραπρεσβ.* p. 393, 25; *Lys.* f. the Property of Aristoph. p. 629; *Ælian*, V. H. I. 22; and the inscriptions here and there, for example, C. I. Gr. No. 1193, No. 3052.

<sup>4</sup> Speech concern. Halonnes. p. 81, 19; *Xenoph.* *Hell.* V. 4, 22; Demosth. *περὶ παραπρ.* p. 390, 26.

in advance a sum for travelling expenses (ἐξόδιον, ποσειδον).<sup>1</sup> In the time of Aristophanes, the ambassadors received daily two or three drachmas.<sup>2</sup> The sum which ten Athenian ambassadors, sent to Philip, received for travelling expenses, namely, one thousand drachmas, was, according to Demosthenes, such as no other state had ever given for that purpose.<sup>3</sup> These ambassadors remained, it is true, with Philip two months, and a part of a third, but they might just as well have completed their business much sooner. Since these ambassadors were absent about seventy days, the sum is not very large for the whole period. The Athenians were frequently accustomed to send ten ambassadors, but a less number in matters of less importance.

The Sophronistæ, or superintendents of the young men in the gymnastic schools, of whom there were ten, one from each tribe, annually elected by the people by cheirotonia, received each of them a daily compensation of one drachma.<sup>4</sup> The *episcopi*, also,

<sup>1</sup> Etym. M. p. 684, 8; Lex. Seg. p. 296, 12; C. I. Gr. No. 107; No. 2556, 29; Ephem. Archæol. No. 407. According to the scholia of Marcellinus on Hermogenes, cited by Casaubon on Theophrast. Char. XI. for thirty days; according to the scholia in Waltz Rhet. Gr. Vol. IV. p. 697, a thousand drachmas. Athens, however, is not therein named. Both accounts are founded merely upon fabrications of the rhetoricians.

<sup>2</sup> Acharn. 65, and, according to the connection, 602.

<sup>3</sup> Demosth. π. παραπρ. p. 390, 23. That there were ten of them, has been shown by me in another work, notwithstanding the decree of the people in Demosth. concern. the Crown, p. 235, in which only five are named. Moreover, Demosthenes says π. παραπρ. p. 359, 8, and p. 398, 22, and also concern. the Crown, p. 235, 22, exaggerating, that they were absent full three months, or that they had even remained so long in Macedonia. We may compute the precise time. It amounted to only two months and ten days, from the 3d (or 4th) of the month Munychion to the 13th of Scirophorion.

<sup>4</sup> Lex. Seg. p. 301; Phot. on the word σωφρονισταί; comp. Etym. on the same word. In both the last two read ἐκάστης φυλῆς εἰς. Beside Phavorinus, Stobæus, also, has the words of the Etymologist: see Fischer's Ind. Æschin. on the word σωφρονισταί. In this, however, as also by Hemsterhuis on Pollux, VIII. 138, and others, it is most erroneously assumed, according to the false reading of the grammarians cited, that there were a hundred sophronistæ. The gloss has reference to Demosth. π. παραπρ. p. 433, 3, in which, however, there is only an allusion to these officers. The same are also mentioned in Axiochus, p. 367, A. In the time of the thirteen tribes, subsequently to the reign of Hadrian, there were six sophronistæ, and the same number of hyposophronistæ; and yet, during a certain period of the same time, it is found, that there were only four sophronistæ. See C. I. Gr. No. 271 sqq. The demi also had, even in the more ancient times, their own sophronistæ at their particular festivals. C. I. Gr. No. 214.



who were sent to subjugated cities, received a compensation.<sup>1</sup> It was probably, however, at the cost of the cities over which they exercised superintendence.

The *nomothetæ*, also, a commission for revising the laws, consisting of 501, 1001, or 1501 heliastæ, may have received a compensation; for they were accustomed to receive the triobolon, and the council were directed by law to provide the money for the *nomothetæ*.<sup>2</sup>

The collection of the revenues required no officers receiving compensation, since they were farmed. Even when the council found it necessary to collect the money from the farmers of the revenue through a collector of their own appointment, it is hardly probable that he received a compensation.

All the servants of the public officers received wages, as, for example, the *prometretæ*:<sup>3</sup> but these were probably paid by the sellers. There is no doubt, that originally it was even a fundamental distinction between a public service (*ἐπιμετρία*), and a public office (*αρχή*), that the duties of the former were performed for wages, of the latter without compensation. In particular, the heralds and secretaries deserve to be named. Certain heralds, the secretaries of the *prytania*, of the council, of the council and people, who were not ranked among the public servants, the controller of the council, received their meals, at the public cost, in the Tholus, even when they were not *prytaneis*. The same privilege was enjoyed by the subordinate secretary of the council.<sup>4</sup>

A certain amount of wages was stipulated to be paid to the transcribers of the laws for a definite period of time, in which they were to complete the work.<sup>5</sup> For the copying of the decrees of the people upon tablets, to be exposed to public view, definite sums were assigned in each particular case.<sup>6</sup>

That the compensation of the public physicians, singers, and

<sup>1</sup> Aristoph. Birds, 1023 sqq.

<sup>2</sup> In Demosth. ag. Timocr. p. 706, 23. Comp. Wolf Prolegg. z. Lept. p. CXLVII. Schömann de Comitt. Ath. p. 250 sqq.

<sup>3</sup> Harpocr. on the word *προμετρηταί*.

<sup>4</sup> See the inscriptions cited in Book II. 8, of the present work, and Demosth. π. παραπρ. p. 419, 25.

<sup>5</sup> Lysias ag. Nicom.

<sup>6</sup> Book II. 6, of the present work.

musicians was very high, has been shown in the first book.<sup>1</sup> But how many others did the state have to compensate for their services, either itself, or through subordinate communities, as, for example, citharistæ, pædotribæ, etc.! The poets, also, received a compensation, which was given to them by the council of five hundred. It was probably no inconsiderable sum, since Agyrrius and Archinus, insulted by certain comic poets, considered it worth while to incite the people to diminish it.<sup>2</sup>

Finally, permanent pay in time of peace was received by a few hundred sailors. In the more ancient periods of the state, the Athenians had two sacred triremes, the *Paralus*, whose crew received the special appellation of *Paralitæ* (*παράλιται* also *πύραλοι*), and the *Salaminian* trireme, whose crew were called the *Salaminians*. The latter is generally considered to have been the *Delian theoris*.<sup>3</sup> Being swift-sailing vessels, they were used for the conveyance of theori and ambassadors, for the delivery in foreign ports, and the transporting from the same of money and persons, also in naval engagements. In these engagements they were in request for the use of the commander-in-chief. The fact that the crew of the *Paralus*, although they commonly remained the most of the time at home, received a permanent pay of four oboli daily, is expressly transmitted to us.<sup>4</sup> But since

<sup>1</sup> Chap. 21.

<sup>2</sup> Schol. Eccl. 102; Aristoph. *Frogs*, 370, and Schol. with reference to the comic authors Plato and Samyrion; Hesych. *μισθόν*· τὸ ἐπαθλὸν τῶν κωμικῶν, καὶ τὸν ἀμφορέα. ἔμισσθαι δὲ πέντε ἡσαν. What is said of the amphoreus, is explained as having reference to the Panathenæan prizes of victory, which had been previously the subject of discourse, but has no relation to the comic authors. The remark respecting the five is wellgrounded. It has reference to the fact, that five comic authors entered into competition with each other upon each occasion of a contention for the prizes. These certainly all received a compensation. But the prizes of victory were independent of this; for only three received prizes. That the tragic authors received a compensation, is evident, without citing others, from Schol. Aristoph. *Peace*, 696. There is no doubt, that the dithyrambic poets also received a compensation; but whether from the state, or from the tribes, as suggested by Schol. Aristoph. *Birds*, 1404, may be left undecided.

<sup>3</sup> See, respecting both, Sigon. R. A. IV. 5. By Phot. on the word *πύραλοι*, and by others, the *Salaminian* trireme and the *Paralus* are said to have been one and the same. This is incorrect. They are correctly distinguished by the same author on the word *πύραλος*, p. 282, and in the first article, p. 283. Respecting the appellation of the crews, see Pollux, VIII. 116; Phot. p. 283, in the second article; Suid. Hesych. on the word *παράλιται*, and others.

<sup>4</sup> Harpoer. on the word *παράλιται*; and Phot. p. 283, in the second article.

the Salaminian trireme performed the same services, we may, without hesitation, assume that the Salaminians were also paid. Since the pay of the crew of a trireme is estimated at the rate of that of two hundred common sailors, the pay of the crews of two triremes, therefore, at the rate of four oboli for each man, reckoning the year at 365 days, so that the intercalary month is distributed among all the years of a cycle, amounts to sixteen talents and  $1333\frac{1}{3}$  dr. An Ammonis, a sacred trireme of that name, is also mentioned by Aristotle and Dinarchus, and at a later period, named in honor of the much-honored kings, Antigonus and Demetrius, an Antigonis and a Demetrias. These had not been substituted in the place of older sacred triremes, but existed together with the Ammonis and the Paralus. Finally, a Ptolemais<sup>1</sup> is mentioned; but this, perhaps, had only taken the

<sup>1</sup> Harpoer. on the word Ἀμμωνίς, and Maussac and Valesius on that article; Phot. on the words παράλοι and παράλος (p. 282); Lex. Seg. p. 267; Rhetorical Dictionary in the Appendix to the Engl. ed. of Photius, p. 676; Schol. Demosth. p. 52, Reisk.; Suidas in the last article on the word παράλος; Ulpian on Demosth. Mid. p. 214, Meier's ed. For further information respecting the sacred triremes, see p. 76 sqq., in the work upon the "Seeurkunden," and in reference to the Ammonis in particular, p. 79. Philochorus had treated of these sacred triremes in the sixth book of the Atthis (Harpoer. on the phrase *ἐν τῇ τριήρῃ*; comp. my "Abhandlung über den Plan der Atthis des Philochoros," in the publications of the Acad. for the year 1832, p. 20 seq. of the separate impression). In the Appendix to Photius, as above cited, there is the following reference to Philochorus: Φιλόχορος (not Στησίχ.) δὲ ἐν τῇ ἑτέτταρας αὐτὰς οἶδε, πρῶτας μὲν δύο Ἀμμωνιάδα (not Ἀμοριάδα) καὶ Πάραλον, προσγενομένους δὲ Δημητριάδα καὶ Ἀντιγονίδα. According to this passage, the Ammonias seems to have been the same as the ancient Salaminia. This may be found confirmed by the facts, that from Aristotle and Dinarchus only the Ammonias and the Paralus are mentioned (in the same Appendix, comp. respecting Dinarchus, and the Ammonias or Ammonis, Harpoer. on the word Ἀμμωνίς); that in Phot. and Suid. on the word ταμίαι, it is said that there were also treasurers of the sacred triremes, one for the Paralus, the other for the Ammonis; finally, that Protopogenes made paintings of the Paralus and the Ammonis only. But in the Documents relating to the Athenian Marine (Seeurkunden), in which it is strange that the Ammonis is not mentioned, we find a Salaminian trireme named even in the last years of the time of Aristotle; in which, however, the Politie of that author were certainly not composed (Urkunde, XIV. XVI). It is mentioned, it is true, as having foundered in a storm, but must have been in existence, however, at a very brief period prior to Olymp. 113, 4 (B. C. 325). Furthermore, there was a trireme called Salaminia again in Olymp. 114, 3 (B. C. 322) (Urkunde, XVII). It is, therefore, perhaps merely fortuitous, that express mention of the Salaminia as a sacred trireme is no longer found after that date. With respect to the passage of Philochorus, it certainly follows from it that in the time of the twelve tribes, to which period his account respecting the four sacred ships has reference, the Salaminia was no longer a sacred ship, not because the Ammonis had been substituted in its place, but, as I conjecture, because, after the revolt of Salamis, Olymp. 115 (B. C. 320), (comp. C. I. Gr. No. 108), the Athenians might have been unwilling to have any longer a sacred ship of that name.

place of the Demetrias, as the tribe of the same name had, with respect to the same particular, made the same substitution.<sup>1</sup> What were the regulations in regard to the pay of these vessels we know not. The Ammonis, at least, had, as well as the Paralus, a treasurer, and probably, therefore, the others also. And since the Ammonis especially served also in time of peace, as well as in time of war, it, in particular, also, might have had a paid crew in time of peace.

I will presently treat of two other kinds of payment in time of peace, the pay of the cavalry, and that for the maintenance of the infirm, which also was called pay.<sup>2</sup> All together occasioned no small expense. In order, however, to diminish this somewhat, and that no one might derive an immoderate profit from the state, the law directed that no one should receive pay from several different sources (*μὴ διχόθεν μισθοφορεῖν*).<sup>3</sup> The compensation of the judges, of the orators, of the ecclesiastæ, of the senators, the pay of the soldiers, of the sailors, of the cavalry, in short each of the payments for public services reciprocally excluded the reception of any one of the remainder, so that no one could receive on the same day two or more compensations for two or more different public services or offices.

Moreover, the grammarians assert that the compensation of public officers, and for public services, was paid by the period called prytania.<sup>4</sup> But this, in this universality of assertion, is incorrect. For the judges, and those who attended the assemblies of the people, together with those who received the theoria, were paid daily, the soldiers and sailors, in time of war, monthly. But of many other public officers and servants, it is undoubtedly true, in cases where the compensation continued

<sup>1</sup> Ulpian, as above cited, mentions the Antigonis and the Ptolemais together, without the Demetrias. This leads to the inference, that the last was supplanted by the Ptolemais; that is, if any confidence is due to Ulpian.

<sup>2</sup> Æsch. ag. Timarch. p. 123.

<sup>3</sup> Demosth. ag. Timocr. p. 739, 6. No one but Petit (Leg. Att. V. 6, 2) could believe the silly Ulpian in his assertion that by this law was to be understood a prohibition to pursue several trades or branches of business at the same time.

<sup>4</sup> Ammonius, and from him Thom. M. on the word *πρυτανεῖον*. Hesych. on the same word, says that *πρυτανεῖον* meant also *ἡ ἐπὶ μὲν μισθοφορία*. By this probably was designated the compensation of certain public officers and subordinate officers which was paid by the prytania. In the later periods the prytania, as a general rule, corresponded with the months.



uninterruptedly day after day. Nothing indeed was more appropriate than the paying of the secretaries and other public servants by the *prytania*. The compensation of the architect and of the subordinate secretary, is stated in the accounts relating to the building of the temple of Minerva Polias, as a disbursement according to *prytaniæ*, and was, therefore, probably, also thus paid. The same thing is certain in respect to those who were maintained at the public expense, and it must also, from analogy, be assumed with respect to the cavalry and sailors in time of peace. This manner of payment was also the most simple for the rendering and auditing of accounts, since they were rendered and examined according to *prytaniæ*.

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## CHAPTER XVII.

### THE MAINTENANCE OF THE POOR.

A LAUDABLE institution was the provision made for the support of those citizens, who on account of corporeal infirmities or weakness were unable to earn a maintenance (*ἀδύνατοι*). But this institution, since compassion was not exactly a Grecian virtue, was exclusively peculiar to the Athenians. Athens also maintained the children of those who fell in war until their majority.<sup>1</sup> This latter custom, as is shown by Aristotle, was common to them with other states. But in the earlier ages of Greece it could not have been practised in many places, since otherwise Hippodamus the Milesian, could not have supposed that this law of his political constitution was something entirely new.<sup>2</sup>

Pisistratus is named as the author of this regulation with respect to those who were mutilated in war.<sup>3</sup> This account is highly probable, since Pisistratus was of a mild disposition,

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<sup>1</sup> Aristid. Panath. Vol. I. p. 331. Cant. ed.

<sup>2</sup> Aristot. Polit. II. 5, 4, Schn.

<sup>3</sup> Plutarch, Solon, 31

usurping rulers readily perform acts of beneficence, in order to gain popularity, and finally the Athenians, with their hatred of despotism, would never have ascribed this honor to him, if he had not deserved it. According to others,<sup>1</sup> this regulation was founded upon a law of Solon, and the latter, as Heraclides in Plutarch testifies, certainly gave the example to Pisistratus by the proposition which he made for the benefit of an individual. To Athens in its earlier periods belonged the glory, that no citizen was destitute of the necessities of life, or was reduced, to the shame of the state, to beg of those whom he accosted.<sup>2</sup> But after the Peloponnesian war, poverty was everywhere seen, and not a few, if they were infirm, or maimed, must have needed this support from the state. The law confined the number of its recipients to those whose property did not amount to three minas.<sup>3</sup> Even in the time of Socrates an estate of that amount was extremely inconsiderable, and, accordingly, those who were supported by the state were really in very needy circumstances. I do not believe, however, that the Athenians were very parsimonious in the appropriation of this small endowment. The man, for whom Lysias<sup>4</sup> wrote a speech in order to show that he deserved this support, at least practised an art, although he asserted, that he did not by it earn sufficient to maintain himself. He also rode on horseback occasionally, but not upon his own horse, to be sure, and because he could not walk except by the aid of two staves. This pay was assigned by a decree of the people;<sup>5</sup> but the examination of the persons who applied for it, was made by the council of five hundred.<sup>6</sup> It was paid by the prytania. Hence he who neglected to present himself for exam-

<sup>1</sup> Schol. *Æschin.* in Taylor on *Lys.* Vol. V. p. 739, Reisk. ed.; and in Reiske on *Æsch.* Vol. III. p. 738.

<sup>2</sup> *Isocr. Arcop.* 38.

<sup>3</sup> *Harpocr. Suid. Hesych. Lex. Seg.* p. 345 (*Bibl. Coisl.* p. 603), and the passages in the Dictionaries cited by Taylor as above cited, and by the commentators of *Hesychius*.

<sup>4</sup> *Ἐπὶ τοῦ ἀδυνατοῦ.* This speech is in other particulars composed in so waggish a tone, that I consider it written merely for practice, not for delivery. At least if it was delivered, the Athenians must have been very much astonished at the facetiousness of this man, who was soliciting them for the pay granted to the needy.

<sup>5</sup> *Herald. Anim.* in *Salmas. Observ.* ad *I. A. et R.* III. 8, 4.

<sup>6</sup> *Æschin. ag. Timarch.* p. 123; *Harpocr. Suid. Hesych. Lex. Seg.* p. 345. *Bibl. Coisl.* p. 238.

ination in any particular prytania, lost the pay for the same, and was obliged to wait until the next prytania.<sup>1</sup>

When in a scholium on Æschines, which Taylor has published in his notes, it is said of the sum given for this support of the poor, that it was three oboli daily, here appears again the triobolon of the judges, with which the grammarians were continually haunted. The pay of the infirm never amounted to more than two oboli, nor to less than one. One might be inclined to suppose, that, according to the greater, or less indigence of the individuals assisted, one would have received more, another less. But the difference depended more probably upon the age, in which it was given, and the rate was doubled, when the difficulty of earning a support was enhanced. But it is difficult to arrive at an understanding of the subject from the testimonies of authors. According to a speech of Lysias, an obolus was given.<sup>2</sup> Harpocration<sup>3</sup> says, that the infirm or disabled (*ἀδύνατοι* daily received two oboli, but, according to Aristotle in his treatise on the Political Constitution of the Athenians, they received one obolus daily, and, according to Philochorus, nine drachmas a month. Suidas testifies the same thing from Philochorus.<sup>4</sup> Hesychius speaks of two oboli without any more definite account. Suidas, and the authors of some other dictionaries<sup>5</sup> say, that some received one, others two oboli. But Bast<sup>6</sup> has already shown, that in Suidas there is a false reading, and that according to the true reading the grammarian said, that some authors informed us that they received one, others two oboli. According to this, it is a matter of course that in the other dictionaries the error must be removed in the same way.

<sup>1</sup> Æschin. ut sup.

<sup>2</sup> Lys. ut sup. p. 749; p. 758.

<sup>3</sup> On the word *ἀδύνατοι*, p. 6, Bekk.

<sup>4</sup> On the word *ἀδύνατοι*, comp. Zonaras on the same word. The Lex. Seg. p. 345 (Bibl. Coisl. p. 603), erroneously ascribes to Philochorus the assertion, that they daily received five oboli; but the reading *πέντε* or *ε* arose from that of *ε* δραχμῶς κατὰ μῆνα, as Alberti on Hesych. on the word *ἀδύνατοι* by comparing and correcting the Lex. Bibl. Coisl. has shown.

<sup>5</sup> Suidas on the word *ἀδύνατοι*; Zonaras; and the Lex. Bibl. Coisl. p. 238. In Zonaras, and Suidas stood, (if it be allowed that they wrote what was originally in the gloss,) *ἐλάμβανον δὲ οὔτοι δοκιμασθέντες ὑπὸ τῆς βουλῆς τῶν πεντακοσίων οἱ μὲν φασιν ἐκάστης ἡμέρας ὑποβολὴν δύο, οἱ δὲ ὀβολόν*.

<sup>6</sup> Epist. crit. p. 176.

In one of the dictionaries,<sup>1</sup> on the other hand, the account that they received two oboli is, to be sure, ascribed to Aristotle also. We see from this that in the more ancient periods, that of Lysias, for example, only one obolus was given. If Aristotle had also spoken of only one obolus, as is more probable to me that he did, then this support of the less amount continued still in his time. But if he mentioned two as the amount, then the rate must have been already doubled in the age of Demosthenes. For the time of Philochorus, however, one would be inclined to assume the rate of two oboli. For this rate does not belong, as can be proved, to an earlier period, and that it was first doubled later than the time of Philochorus is hard to believe. The account of Philochorus, who was an old man when Eratosthenes was a youth, seems then not to be essentially different from that which states that two oboli were given. Two oboli a day amount for the lunar month of twenty-nine days to nine drachmas, and four oboli. The latter portion of the amount might have been omitted by the grammarians. It might, to be sure, have been expected that Philochorus would have computed according to the calendar month, and would, therefore, have given ten drachmas, as the amount per month. But who will warrant, that this figure did not once stand in the text, but has been dropped from it? Or shall it be assumed that he spoke of only five drachmas, and that the nine are founded upon a false reading?<sup>2</sup> In that case the smaller amount must certainly have been the rate in his time. For the designation of Philochorus of the payment by the month contains in itself the proof, that he spoke of the later periods, in which the *prytaniæ*, as a general rule, corresponded with the months.

If we knew now how many in the average required this support, we might make a computation of the whole expense. But the assumption of Meursius<sup>3</sup> that the number was five hundred, is founded upon a false reading in Suidas. Considering, however, the poverty of a greater part of the Athenian citizens, and the frequent wars, five hundred may be assumed to have been the lowest number of the aged, blind, lame, sick, and maimed,

<sup>1</sup> Lex. Seg. p. 345 (Bibl. Coisl. p. 603).

<sup>2</sup> The reading *πέντε* or *ε*, Lex. Seg. p. 345 (Bibl. Coisl. p. 603), may lead to that view.

<sup>3</sup> Lectt. Att. VI. 5.



who were to be supported, and the sum necessary for their maintenance be estimated, according as we compute at the rate of one or two oboli for each, at, at least, five or ten talents. To this must be added the support, until their eighteenth year, of the orphan children of those who perished in war. Until they arrived at that age the state caused them to be instructed, and when they were dismissed, the males were attired in a complete suit of armor.<sup>1</sup> That the number of the orphans, after so many wars, was large, we would have to assume even without the intimation of Isocrates<sup>2</sup> to that effect.

Different from this public support was that which private individuals imparted to each other, in pursuance of a special agreement, into which they entered upon the formation of a society for that purpose, or upon their introduction into the same (*ἐραρος*).<sup>3</sup> Both the society itself, and the money contributed for the object of it, were called *eranos*, the members of the same *eranistæ*, the whole body, the company or society of the *eranistæ* (*τὸ κοινὸν τῶν ἐραριστῶν*), their president *eranarch*. The objects of these societies were very various. If a company of merry companions wished to raise the means to defray the expenses of a feast, a corporate body to celebrate a festival, to enjoy an entertainment, or to attain some end by bribery,<sup>4</sup> the sum requisite for the purpose was contributed through an *eranos*. Such unions were very frequent in the democratic states of Greece. Among them were comprised the most multifarious political and religious societies, corporate bodies, trades-unions, shipping associations, and commercial guilds. Many of them, particularly the religious unions (*θίασοι*), but not these exclu-

<sup>1</sup> Petit, Leg. Att. VIII. 3, 6, and other passages.

<sup>2</sup> Συμμαχ. 29.

<sup>3</sup> I here refer to this subject but briefly. Several of the older authors amply treat of it, and reciprocally correct each other. The most important among them are: Petit, Leg. Att. V. 7. 1; Salmas. de Usuris, Cap. 3; Defens. Misc. Cap. I. sqq.; Herald. Observ. Cap. 43; Animadv. in Salmas. Observ. ad I. A. et Rom. VI. 1-8. A popular view of it, with some errors, however, is given by Birger Thorlacius in his "Populäre Aufs. das Gr. Rom. und Nord. Alterth. betreffend, Deutsche Uebers. p. 71 sqq." The latest works upon this subject, with which I am acquainted, are those of J. J. Van Holst de Eranis Vett. Gr. inprimis ex Jure Attico (Leyden, 1832, 8), and of Fr. L. C. Rasmussen *περὶ τῶν ἐράνων* (Copenh. 1833, 8).

<sup>4</sup> Demosth. concern. the Crown.

sively, were in possession of landed property.<sup>1</sup> These associations could also, like states and subordinate communities, establish regulations, and pass resolutions, which they eternized by having them inscribed on stone.<sup>2</sup> Finally, there were laws in reference to these associations (*ἐταρτοὶ νόμοι*), and legal processes named after them (*ἐταρταὶ δίκαι*), in which, as in suits relating to commercial transactions, a more speedy procedure than in ordinary suits was directed.<sup>3</sup> A particular kind of *eranos*, however, was that which was formed for the support of helpless citizens. It was founded upon the principle of mutual aid, and it was expected that the individual who was supported should, if a favorable change should take place in his circumstances, repay what he had received.<sup>4</sup>

## CHAPTER XVIII.

### PUBLIC REWARDS.

A SMALL expenditure was caused by the public rewards and marks of honor conferred on meritorious citizens. Beside the *prytaneis* and their subordinate officers, certain persons received entertainment in the *Prytaneum* (*σπίτις ἐν πρυτανείῳ*) as a mark of honor. The golden garland (*στεφάνος*) was not unfrequently conferred. The council of the five hundred, if it had scrupulously performed its duties, was annually honored with a garland.<sup>5</sup>

<sup>1</sup> Cleon. in the works of Aristot. II. 2, 3; Beilage, No. XVII. and the *ῥποι* cited in Book I. 22, of the present work.

<sup>2</sup> See, for example, C. I. Gr. Nos. 109, 110, 120, 126, 267.

<sup>3</sup> See Book I. 9, of the present work; Pollux, VIII. 144.

<sup>4</sup> Isæus concern. Hagn. Estate, p. 294; Theophr. Char. 17. I once conjectured that there was a list of such *erantistæ* (and indeed consisting of persons who were aliens in Athens), and of their contributions in C. I. Gr. No. 164. But from a later communication I have been convinced that that fragment is of a different character, and belonged to *Hermione* (Castrî).

<sup>5</sup> Demosth. ag. Androt. Comp. Æschines ag. Timarch. p. 130.

States gave each other garlands, and private individuals were frequently honored with a garland by the state. I have already shown how heavy these golden garlands were.<sup>1</sup> In the more ancient periods, however, they were not frequently given. Those who, after the anarchy, brought back the people from Phyle to Athens, received only garlands made of twigs, which were at that time more highly valued than the golden ones were in the time of Demosthenes.<sup>2</sup> The erection of a brazen statue (*εἰκὼν*) to a man who had deserved well of the state, was in the earlier periods much more unfrequent. After Solon, and after Harmodius and Aristogeiton, the tyrannicides, this honor was first conferred upon Conon, as the deliverer of his country from the insupportable yoke of the Spartans.<sup>3</sup> But in later periods this reward also was lavished without discrimination. Chabrias, Iphicrates, and Timotheus deserved these and other rewards, although it seemed offensive to ascribe their deeds to them alone.<sup>4</sup> But already at that period men of but little merit were highly honored, and even some who had no merit at all, and in the time of Demetrius Phalereus, the Athenians became so extravagant in this respect that they caused to be erected in honor of him in one year 360 statues, representing him on foot, on horseback, and in chariots.<sup>5</sup> This levity was the consequence, in part, of the distribution of the *theorica*, with which the demagogues had made the people indolent and inclined to flatter them,<sup>6</sup> in part of the general decline of the state and of morals, and of the loss of that simplicity and dignity of feeling which, neglecting external splendor, finds its reward in the exercise itself of the higher virtues.

Athens, as a free state, in which this corruption could never reach the highest point, exhibited only a diminutive image of

<sup>1</sup> Book I. 5, of the present work.

<sup>2</sup> Æsch. ag. Ctesiph. p. 570 sqq., particularly p. 577.

<sup>3</sup> Demosth. ag. Lept. p. 478.

<sup>4</sup> Æsch. ag. Ctesiph. p. 635. Comp. the speech *περὶ συντάξεως*, p. 172.

<sup>5</sup> Diog. L. V. 75, and what is there quoted by Menage.

<sup>6</sup> Comp. Nepos. Miltiad. K. E. Köhler has amply treated of these and other marks of honor in his excellent treatise: "Etwas zur Beantwortung der Frage, gab es bei den Alten Belohnungen des Verdienstes um den Staat, welche den Ritterorden neuerer Zeit ähnlich waren, drittes Buch, in the Dörpt. Beiträgen for 1814," first and second half. At present the inscriptions afford still richer materials, the details of which I do not design here to present.

what is presented on an enlarged scale in monarchical states, or those of despotic rule, in which the moral energy of the people and of the government is enfeebled. In them, both the state and private individuals become ambitious of titles and of rank, as was especially illustrated in the examples of the Eastern and Western Roman empires. Honorary distinctions of all sorts were created and lavishly conferred. Regulations concerning rank, and the oriental pomp of royal courts, were obtruded upon the West. External parade and show, which render the disposition vain and servile, were to compensate for the loss of intrinsic worth, and, if possible, no one could be allowed to possess personal merit; all must be reflected from the sovereign.

Pecuniary rewards were customary at Athens in especial cases. After the return of the people from the Piræus, those who at Phyle had undertaken the restoration of the democracy, received a thousand drachmas for sacrifices and votive offerings. This sum, however, did not yield them ten drachmas apiece.<sup>1</sup> Ten thousand drachmas were given to Pindar, according to Isocrates, for his elegant verses in praise of the Athenians, for which he had been punished by the Thebans. According to a later author, the sum given was the double of the fine to which he had been condemned.<sup>2</sup> Lysimachus, the son of Aristides, received, in honor of his father, upon the proposal of Alcibiades, a hundred minas of silver, a hundred plethra of land planted with trees, and the same quantity of cleared arable land in Eubœa, and in addition four drachmas daily;<sup>3</sup> an unreasonable profusion, and to no good end, for an entirely insignificant and worthless individual. With more moderation, three thousand drachmas were bestowed as dowry upon each of the two daughters of that eminent man, and to the daughter of Lysimachus was granted the privilege of eating at the public table in the Prytaneum, like the victors in the Olympic games. Other pecuniary aids beside these were granted to the descendants of Aristides, continuously, down to the time of Demetrius Phale-

<sup>1</sup> Æsch. ag. Ctesiph. p. 576.

<sup>2</sup> Isocr. concern. the Exchange of Property, p. 87, ed. Orelli. The other account is given by the author of the fourth epistle ascribed to Æschines, p. 699. Others assert that the fine was only a thousand drachmas. See the Fragments of Pindar, p. 580, Part II. Vol. II. of my edition, and in the same Vol. p. 18.

<sup>3</sup> Demosth. Lept. 95, and Wolf on the same.



rius.<sup>1</sup> These isolated examples, the number of which might have been much augmented, show that the Athenian people were not illiberal in bestowing pensions. Finally, the rewards for the detection of crimes (*μίσσηται*), deserve mention. For example, two are mentioned by Andocides<sup>2</sup> of ten thousand, and a thousand drachmas, which were both paid.

## CHAPTER XIX.

### ARMS, SHIPS, AND CAVALRY.

THE nature of the case seems to require, that the Athenian State, although the substantial and wealthy citizens furnished their own military equipments, should provide a store of arms, and not only in time of war, but also during peace, that it might be able to arm in case of necessity the poorer citizens, the domiciliated aliens, and even the slaves. The same may be said respecting the providing of other military stores, particularly of marine stores. In the Piræus were the dock-yards, the buildings for covering the ships, the marine arsenal, in which were stored sails, ropes, articles made of leather, oars, and other implements and equipments of vessels. Ten superintendents of the dock-yards (*ἐπιμεληταὶ τῶν νεωρίων*) were appointed to take charge of the whole of the marine stores.<sup>3</sup> The building of ships of war was incessantly pursued, both in time of peace and of war. A law had been passed, upon the proposal of Themistocles, that twenty new triremes should be built annually. Diodorus,<sup>4</sup> it is true, relates, that this law was passed Olymp. 75, 4 (B. C. 477). But probably, in this account, he combines, as he often does, regula-

<sup>1</sup> Plutarch, Aristid. 27 ; an intricate passage, from which I have taken only what was undoubtedly contained in it.

<sup>2</sup> Concern. the Myst. Similar rewards were the prices set upon the heads of criminals. Comp. Aristoph. Birds, 1072 sqq.

<sup>3</sup> See the *Seeurkunden*, p. 48 sqq.

<sup>4</sup> Diodor. XI. 43.

tions made in the earlier periods of the state with others subsequently established, in order thus to introduce his narration of the events which immediately followed, and Themistocles had probably proposed this law at a much earlier date, namely, when he procured the passage of the decree to appropriate the money derived from the mines for the building of ships to be employed against the Æginetans.<sup>1</sup> We cannot ascertain, whether subsequently that number of ships was annually built, but it is hardly probable that a less number was provided, since the triremes soon decayed, and there were generally three or four hundred ready for use. It was the duty of the council of the five hundred to attend to the building of the triremes.<sup>2</sup> If they did not perform this duty, the garland which was usually bestowed was denied them. The actual superintendence of the building of the vessels was generally intrusted, it seems, to a special commission, called the trireme builders.<sup>3</sup> In the time of Demosthenes, the building of them was of necessity discontinued for a year, because the treasurer of the same had absconded with two and a half talents.<sup>4</sup> This sum is so small as to suggest the conclusion, that the building of triremes was not regularly carried on at that period to any great extent. But probably that sum might have been designed to pay for the labor only, while the timber and other materials might have been already furnished; and perhaps it was to have paid for the labor but partially, so that no valid reason may be derived from that event for supposing, that at that period less than twenty new triremes were annually provided. After the time of Alexander, but few triremes were built, since Macedonia no longer furnished timber. Demetrius, the Besieger of cities, promised the Athenians, Olymp. 118, 2 (B. C. 307), timber for a hundred triremes;<sup>5</sup> a proof that they were ill supplied with that material.

<sup>1</sup> See my *Abhandlung über die Silbergruben von Laurion*, in the *Denkschr. d. Berl. Akad.* (Of this there is an English translation by G. C. Lewis, Esq.) The principal passages relating to this subject are Herodot. VII. 144; Nepos. Themistocl. 2; Polyæn. Strat. 1, 30, 5; Plutarch, Themistocl. 4.

<sup>2</sup> Demosth. ag. Androt. p. 598, 20 sqq.

<sup>3</sup> Comp. the work "über die Scurkunden," p. 59.

<sup>4</sup> Demosth. as above cited.

<sup>5</sup> Diodor. XX. 46; Plutarch, Demetr. 10.

Athens expended something also in time of peace upon another part of the military establishment, namely the *cavalry*; both because it was one of the principal ornaments of the festive processions, in which it presented a gorgeous spectacle from the beauty of the riders, and their steeds, and their splendid armor and trappings, and also because the ancients were well aware, that, unless men and horses were previously trained, they would not make serviceable cavalry in war. The council of five hundred exercised a special superintendence over the cavalry, and inspected both the horses and their riders.<sup>1</sup> The rich were bound by law to engage in the cavalry service. The expenditure for the cavalry in time of peace amounted according to Xenophon<sup>2</sup> to forty talents. With this corresponds in a measure the inscription communicated in the first Supplement (Beilage) to this work, (Vol. II. of the original,) according to which, in four prytaniæ there were paid from the treasury for the cavalry, in the first, three talents, 3,328 dr. 3½ ob.; in the third, five talents, 4,820 dr.; in the fourth, three talents; in the seventh, four talents; in the whole, sixteen talents, 2,148 dr. 3½ ob. The rest of the expense seems to have been paid out of the current revenues. The money paid to the cavalry was designed particularly for subsistence. Ulpian says expressly, that the pay of the cavalry was given to provide food for the horses,<sup>3</sup> and, in the inscription cited, this expense is constantly stated under the head of subsistence for the horses (σῖτος ἵππων). But how much of this each individual received, the learned have determined differently, according as they assumed that the number of the knights at Athens was a thousand, or twelve hundred.<sup>4</sup> In the latter case it has been computed, that each one received sixteen drachmas a month, or about three oboli a day; in the former twenty drachmas a month, or about four oboli a day. Both sums appear too small, since even the sailors who were paid in time of peace received four oboli each daily, but the knight had not only to maintain a servant, but also two horses. The maintenance

<sup>1</sup> Xenoph. Hipparch. 1, 8 and 13, Schn.; Œcon. 9, 15, Schn.; also Lycurg. in Harpocr. on the word δοκιμασθεῖς.

<sup>2</sup> Hipparch. I. 19.

<sup>3</sup> Demosth. ag. Timocr. p. 460.

<sup>4</sup> Petit, Leg. Att. VIII. 1, 2; Barthél. Anichars. p. 184; Larcher, Mem. de l'Acad. des Inscript. Vol. XLVIII. p. 92.

of a trooper in time of war cost the Athenians a drachma a day.<sup>1</sup> Undoubtedly the same amount was paid in time of peace, and the only difference was, that in time of war pay was granted to them besides subsistence money. With this corresponds the fact that in an inscription,<sup>2</sup> the full purport of which, to be sure, can no longer with certainty be determined, three oboli are mentioned as the pay of an archer, a drachma as that of a trooper. It is not designated, however, whether this was the daily pay in time of peace,—which I consider the same thing as the subsistence money,—or some other payment connected with it. It appears also probable to me, that at the period when the number of the cavalry was twelve hundred, by no means the whole number was paid in time of peace, but only about six hundred; and for a time Athens had only that number.<sup>3</sup> For this number, then, the subsistence money, reckoning the year at three hundred and sixty days, as Xenophon does in other passages, amounted to thirty-six talents. Xenophon says only, that the state paid nearly forty talents annually for the cavalry. Since then other expenses would be required for them beside the subsistence money, my estimate of the latter is rather too high than too low. The payments made from the treasury, according to the inscription cited, besides that they were unequal in each prytania, can afford but little proof in reference to the whole amount of the expenditure. For they were supplementary payments, made partly on account of arrears from preceding prytaniæ. Finally, when Barthélemy<sup>4</sup> asserts that the knights frequently main-

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<sup>1</sup> See Book II. 22, of the present work.

<sup>2</sup> C. I. Gr. No. 80. What I have there presented respecting the meaning of this memorial, is nullified, without requiring further remark, by what will be presently said respecting the *catastasis*.

<sup>3</sup> See Book II. 21, of the present work.

<sup>4</sup> *Mém. de l'Acad. des Inscript.* Vol. XLVIII. p. 351, together with reference to *Lycurg. ag. Leocr.* p. 233, Reiske. That in the Panathenæa there were equestrian games is well known, and there are extant several inscriptions alluding to them, for a particular exposition of which this is not the place. There may have been an obligation to engage in these games after the manner of the *liturgiæ*. Hence *Lycurgus* compares the expense incurred for *hippotrophia* with that for the *choregia*, and contrasts it with that for the *trierarchia*. The passages of *Xenophon*, *Cleon.* 2, 6, and *Hipparch.* I. 11, respecting compelling to the performance of the duty of *hippotrophia* are nearly of the same nature. I designedly abstain from mentioning the laws of other Greek states, since they could prove nothing to the purpose, and will only remark in addition that I grant, that the compelling to the performance of the duty of *hippotrophia* refers to the ordinary cavalry service, but that it does not follow therefrom, that no subsistence money was paid.



tained their own horses, he refers a passage to the cavalry, which does not exclude the idea of subsistence money for the public service, but which may be particularly referred to those, who expended money upon horses with the design of contending for the prize in the public games.

Different from the subsistence money was the so-called *catastasis*, which I formerly considered the same thing. We know but little about it. Lysias<sup>1</sup> relates, that after the anarchy, the knights who had served during the same, were required, by a decree of the people, to refund the *catastasis*, and for this purpose the phylarchæ were directed to hand in the lists of those knights. The comic authors, Eupolis<sup>2</sup> and Plato,<sup>3</sup> also had mentioned this *catastasis*, and it was paid, therefore, not merely during the anarchy. Harpocration, and those who transcribe from him, say, that this seems to have been a sum of money which was given by the state to the troopers, or knights, upon their enlistment or introduction into the corps (*κατάστους*), and the same follows also from what was said by Eupolis.<sup>4</sup> The approval of the troopers, upon their examination by the council, is said to have been designated by the same word.<sup>5</sup> This is highly probable, since this approval, upon examination, was connected with the enlistment. But when the conjecture is added by the grammarians, that the troopers were required to refund this money, when successors to them were appointed, an incident that occurred in a single case after the time of the anarchy, is erroneously generalized. That requirement to refund was made in this case, by a special decree of the people, because the cavalry had been preëminently servants of the thirty tyrants, and had on that account rendered themselves so unpopular, that it was considered a disgrace to have been at that time a trooper. On the contrary, it is much rather evident, from that occurrence, that, as a general rule, the *catastasis* was retained by those who had received it. But it cannot have been either pay or subsistence

<sup>1</sup> For Mantith. p. 574.

<sup>2</sup> In Harpocr. Suid. Phot. on the word *κατάστασις*.

<sup>3</sup> In Harpocr.

<sup>4</sup> In Harpocr. in the verses from the *Φίλοι*, which are found also in Suid. and in Phot.

Οὐκ ἐσωφρόνησας, ὦ πρεσβύτε, τὴν κατάστασιν

Τήνδε λαμβάνων ἄφνω πρὶν καὶ μαθεῖν τὴν ἱππικὴν.

<sup>5</sup> Lex. S. 270, 30.

money. For it was paid, once for all, upon the introduction into the corps, which was not customary with respect to either the pay or the subsistence money; nor do the expressions selected by Lysias<sup>1</sup> correspond with either, any more than the appellation itself. Accordingly, by the catastasis can be understood only a sum of money bestowed for the purpose of equipment, in addition to the pay and subsistence money.<sup>2</sup> It was, however, probably not a very large sum. So the Romans paid at the same time an *æs hordearium* for the subsistence of the horse, and an *æs equestre*, a sum of money for equipment. But the amounts of these sums paid by the Romans may not be applied to the same payments at Athens.

## CHAPTER XX.

### PROBABLE ESTIMATE OF THE REGULAR EXPENSES. OF THE EXTRA-ORDINARY EXPENSES IN GENERAL.

THE whole amount of the regular expenses, if of each only the lowest rate is assumed, could not have been less than four hundred talents annually. But if the building of large edifices, and the constructing of great public works, extraordinary distributions of money, and heavy expenses for festivals were added, a thousand talents may easily have been disbursed in a year, even without carrying on war, the costs of which are indeterminate. Four hundred talents, which are equivalent to about six hundred thousand thaler, or \$410,400, were, in ancient times, equal to at least three times that amount at the present day, if

<sup>1</sup> Namely *παράταξόντα*, and *ἔχοντα*, instead of which *εἰληφέναι* would rather have been used, if pay or subsistence money had been meant.

<sup>2</sup> Reiske on Lysias understood it thus, (on the contrary see Larcher as above cited,) Meier also (see C. I. Gr. Vol. I. p. 896); C. Fr. Hermann proves it more at large, *Progymnasm.* II. ad Aristoph. *Eqq.* p. 30 sqq.; and following him, Scheibe, *die oligarchische Umwälzung zu Athen.* p. 145 seq.

the value of the precious metals be compared with that of the common necessities of life. With this reference, then, that disbursement may be considered equivalent to three times its amount. This is tolerably proportional to a population of five hundred thousand souls. If the disbursement, however, rose to a thousand talents, or higher,—an event which, it is certain, frequently occurred, either through wars or some special extravagance,—and if the citizens, in addition to defraying this expense, were required as usual to perform the special and immediate public services, the amount was evidently disproportionate to the internal resources of the state, and could hardly be raised without oppression of the richer class by property taxes, or without possessing tributary subjects.

Now, war certainly occasioned very large *extraordinary expenses*. At the present day the equipment of armies costs the state large sums. From this expense the Greeks were very nearly exempt, since every citizen furnished his own clothing and arms, which, to be sure, is also to be considered as the payment of a tax or impost. The mercenaries also presented themselves completely armed. Only, perhaps, when poorer citizens, domiciliated aliens, or slaves, were to take the field, was assistance on the part of the state requisite. Further, *artillery* and ammunition cause considerable expense in modern warfare. But since in ancient times the heavy engines for discharging stones and darts were, on account of their unwieldiness, seldom brought into the field, they had to be provided, in general, only when fortified places were to be besieged or defended. The furnishing of light darts and javelins was, with respect to expense, of less consequence. But *naval warfare* occasioned special costs for the equipment of fleets. For this, such abundant provision could not be made in time of peace, as to include every thing that might be required. Finally, the infantry and cavalry, and the attendants of both, together with the crews of the ships of war, were to be *provisioned* and *paid*. If these expenses should seem to be less than would be required at the present day, because a standing army was not maintained, and consequently subsistence and pay were provided for a short period only, yet in other particulars the expense was heavier, since the soldier was far better paid, and the wars, at least in the most

flourishing period of the Athenian State, were almost continuous. In order to take a general survey of these subjects, I will consider them separately, after having previously become acquainted with the magnitude of the Athenian military and naval force.

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## CHAPTER XXI.

### MILITARY AND NAVAL FORCE OF THE ATHENIANS.

ALTHOUGH the magnitude of the armies of the ancient Greek states was very different, according to circumstances and the requirements of the occasion, and their number can by no means be stated with as much definiteness as in the case of modern states, yet it may with certainty be asserted, that no modern state, even in our times, in which the largest armies have been led into the field, raised so great a regular force, in proportion to its population, as Athens. And it is as certain that the military and naval force of the Athenians was not merely equal to that of every other Greek state, but was, with the exception of that of Sparta, superior. What Demosthenes<sup>1</sup> said of the state, at the date of the speech from which I quote, that it had among all the states of Greece the greatest force in ships, heavy-armed infantry, cavalry, and the greatest pecuniary resources, must have been valid in a higher degree with respect to those periods when the power of Athens was yet unimpaired, except that Sparta could bring into the field more land troops. In the invasions of Attica, at the beginning of the Peloponnesian war, the Peloponnesian and Boeotian force there assembled was sixty thousand strong in heavy-armed soldiers alone,<sup>2</sup> and, consequently, the whole army was more than double this number. We read indeed accounts of much higher numbers in relation to the Grecian states of Sicily and Italy. According to Diodo-

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<sup>1</sup> Philip. I. 51, 20.

<sup>2</sup> Plutarch, Pericl. 33.



rus three hundred thousand Sybarites engaged in battle with one hundred thousand inhabitants of Crotona. Philistus represents the military and naval force of Dionysius to have been one hundred thousand infantry, ten thousand cavalry, and four hundred ships of war, to man which required eighty thousand sailors and marines. The former is an evident exaggeration, larger almost than the newspapers are wont to give us at the present day; whether the latter is conceivable I leave to others to determine. Hume<sup>1</sup> has already, not without justice, animadverted upon the exaggerated statements of the ancients; although he may have erred with respect to particulars.

It is not enough to know that Athens had about twenty thousand citizens who were bound to serve in war. If its military strength were to be measured from this fact alone, a very incorrect estimate would be made. We shall arrive with the most certainty at a satisfactory result if, without laying claim to completeness in our enumeration, we present in connection the principal accounts of its land and naval forces given at the different periods of its history.

To speak of the Trojan war, in which the Athenians appeared with fifty, or according to another tradition with sixty ships,<sup>2</sup> is not worth while. A statement somewhat more certain may be given in relation to the time of Solon. Before the constitution of Cleisthenes, namely, Athens had twelve *phratrîæ*, and in each of the same four *naucariæ*, or *naucariæ*. The latter, as public corporate bodies, were originally the same that the districts (*δῆμοι*) were afterwards. They must indeed have existed even before the time of Solon, since the presiding officers of the *naucrari* (*πρυτάνεις τῶν ναυκράτων*) are mentioned before the date of his legislation,<sup>3</sup> and when Aristotle<sup>4</sup> ascribes their institution to Solon, we may refer this account only to their confirmation by the political constitution of Solon. Now every *naucaria* furnished two troopers; together, therefore, ninety-six: and each,

<sup>1</sup> Essay upon the Populousness of Ancient Nations, p. 230 sqq. (Essays, Vol. II. London, 1760).

<sup>2</sup> Il. β. 556; Eurip. Iphig. Aul. 247. Comp. Gr. Trag. Princ. p. 238.

<sup>3</sup> Herodot. V. 71. In their stead, Thucyd. I. 126, mentions the nine archons; these probably stood at the head of the *prytaneis*.

<sup>4</sup> Phot. on the word *ναυκράτια*.

one ship; the whole number, consequently, forty-eight. But all the arrangements for carrying on war were conducted, without doubt, so far as the defraying of the expenses was concerned, according to *naucrariæ*.<sup>1</sup> When Cleisthenes afterwards introduced the districts, he still retained the *naucrariæ*, probably for financial and military and naval purposes. But he organized fifty of them, five in each tribe,<sup>2</sup> and, accordingly, they then furnished one hundred troopers and fifty ships. With this fully corresponds the fact related by Herodotus,<sup>3</sup> that the Athenians in the war against the Æginetans, prior to the Persian wars, could furnish only fifty ships of their own, and were obliged to obtain twenty from the Corinthians in order to increase their naval force. Moreover, that triremes<sup>4</sup> were thereby meant, and not smaller ships of war, is plain, among other circumstances, from their very connection with the Corinthian vessels, since the Corinthians were the first who built triremes.

Again Miltiades, after the battle of Marathon, undertook the expedition against Paros with seventy ships.<sup>5</sup> But Themistocles increased the naval force at that very period, and brought it to the height, at which we find it in the Persian wars, after the battles of Artimesium and Salamis. In the former 271 Greek triremes were engaged, and among them there were 127 belonging to the Athenians, which were in part manned with Platæans, because the latter had no ships of their own. Beside these Athens gave twenty to the Chalcidians.<sup>6</sup> In addition to these there were fifty-three other Athenian vessels, so that Athens numbered two hundred ships, which fought at Salamis, although the whole Greek fleet in that engagement consisted of only 378

<sup>1</sup> Pollux, VIII. 108. From this passage Zeune on Xenoph. Hipparch. 9, 3, has drawn some false inferences. Hesych. on the word *ναύκληρος*; Phot. as before cited; Schol. Aristoph. Clouds, 37; Ammon. on the word *ναύκληροι*; Harpoer. and Suidas on the word *ναυκραρία*. A mutilated passage in the Lex. Rhet. in the Eng. edition of Photius, p. 669, on the word *ἐπίταγμα*, seems to treat of the ninety-six troopers; see Meier's note in his edition of that fragment.

<sup>2</sup> Cleidemus in Phot. as above cited.

<sup>3</sup> VI. 89.

<sup>4</sup> More respecting this point in the "Einleitende Abhandlung zu den Seecurkunden," p. 73 seq.

<sup>5</sup> Herodot. VI. 132.

<sup>6</sup> Herodot. VIII. 1. Herodotus here, and in almost every passage, in which he mentions ships, while narrating the events of war, means triremes, as is shown by his contrasting them with *pentecosteri*. Comp. also VIII. 42-48.

triremes.<sup>1</sup> With these statements of Herodotus, Demosthenes in his speech concerning the Crown<sup>2</sup> exactly agrees, so far as the Athenians are concerned, since of three hundred Greek triremes he assigns two hundred to them. How it occurred, that in the speech concerning the Symmoriæ<sup>3</sup> only one hundred Athenian among the three hundred Greek triremes are mentioned, is to me an enigma. Indeed this might suggest a suspicion against the genuineness of that speech, if there were not so much evidence in its favor. Moreover, the manning of the 180 triremes required thirty-six thousand men, among whom there were but a few Plateans. But since the Athenians had at that time entirely abandoned their country, it could not have been difficult to man so many triremes with citizens, and aliens under the protection of the state alone, both old and young, even without slaves. Land-forces for the moment they had none. How strong their land-force was we learn from the accounts of the battles of Marathon and Plataea. In the former nine thousand according to some authors,<sup>4</sup> according to others, with more probability, ten thousand<sup>5</sup> Athenians fought, since a thousand were probably taken from each tribe. Of course they were all hoplitæ. That among these there were any slaves, is inconceivable for that period: and when Pausanias,<sup>6</sup> even appealing to the monuments in memory of those who fell in that battle, and,

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<sup>1</sup> Herodot. VII. 14, 42-48. But if the numbers in the separate statements of Herodotus be added together, we have as the total amount only 366. Something, therefore, must have been omitted from the text, as others have already remarked. Respecting the number two hundred, or, without those given to the Chalcidians, 180, comp. also Herodot. VII. 144, VIII. 61. Plutarch, Themistocl. 11, 14. I pass over the more indefinite passages, Thucyd. I. 74; Isoc. Panegy. p. 79, 82, Hall. ed.

<sup>2</sup> P. 306, 21.

<sup>3</sup> P. 186, 5.

<sup>4</sup> So Pausanias, X. 20, 2. He includes in that number even the men "who were unserviceable on account of age," and the slaves; and IV. 25, 2, he says, "not quite ten thousand," reckoning, as it seems, merely the Athenians. Suidas also on the word *Ἰππίας*, which article is borrowed from a tolerably correct author, states that there were nine thousand Athenians, and one thousand Plateans present; Nepos, Miltiad. 5, ten thousand, including the Plateans; Pseudo-Plutarch, in the so-called smaller Parallels, Cap. 1, nine thousand Athenians.

<sup>5</sup> This account is found only in Justin. II. 9, and from him in Orosius. But there is internal probability that ten hundred from each tribe, not nine hundred, were ordered to march to Marathon.

<sup>6</sup> I. 32, 3. From this passage it might be conjectured, that the slaves belonged to the Plateans; but in X. 20, he expressly reckons them as belonging to the nine thousand Athenians.

therefore, probably, with certainty asserts, that slaves had fought in it for the first time, they must either have been among the Platæans, or they fought apart from the corps of the hoplitæ, as light-armed troops.<sup>1</sup> Athens could at that time, beside a moderate garrison for the city, which we may not assume to have been so destitute of a garrison, as Plutarch<sup>2</sup> supposes, have hardly raised more troops, notwithstanding four thousand cleruchi ready for service in the field had just arrived from Chalcis.<sup>3</sup> Probably only the three higher classes of the citizens served as hoplitæ, but the thetes served as light-armed troops. The thetes did not serve as hoplitæ until a later period. Their being employed in that capacity was remarked as something uncommon, even in the times of the Peloponnesian war.<sup>4</sup> The Athenians had neither archers nor cavalry in this battle.<sup>5</sup> Even the small number of cavalry, which, according to previous arrangements, ought to have been present, were not in readiness, and the whole class of knights was at that time but a name. Attica was not adapted to cavalry.<sup>6</sup> The horse thrives only in extensive plains, and this species of military force is efficacious only in the same; and in ancient times the aristocracy or oligarchy was generally formed from it. To a class of that nature in the state the Athenians of all the Greeks were the most averse. Bœotia, Phocis, Locris,<sup>7</sup> and Thessaly, were the principal countries, which were strong in cavalry. The Pisistratidæ even in the early period, in which they flourished, had one thousand Thessalian cavalry to aid them against the Spartans, which had been sent to them by a Thessalian prince;<sup>8</sup> and on account of an ancient alliance the Thessalian knights aided the Athenians before the Peloponnesian war and in the same.<sup>9</sup> At Platæa the number of the heavy-armed infantry of the Greeks was 38,700, and with them there

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<sup>1</sup> The light-armed troops were very numerous in armies, and in the enumeration of numbers were not wont to be included.

<sup>2</sup> Aristid. 5.

<sup>3</sup> Herodot. VI. 100.

<sup>4</sup> Comp. Harpoer. on the word *Οἷτες*; Thucyd. VI. 43. In this passage these thetic hoplitæ, moreover, are represented to have been employed only as epibatæ of the ships; that is, appointed to serve in them as marines.

<sup>5</sup> Herodot. VI. 112.

<sup>6</sup> Herodot. IX. 13.

<sup>7</sup> Thucyd. II. 9.

<sup>8</sup> Herodot. V. 63.

<sup>9</sup> Thucyd. I. 102, 107; II. 22.



were 69,500 light-armed troops, apart from the eighteen hundred light-armed Thespians. Among them there were five thousand Spartans with thirty-five thousand light-armed helots, and five thousand Lacedæmonian hoplitæ, with five thousand light-armed troops. The Athenians had only eight thousand hoplitæ, but the same number of light-armed troops. For Herodotus expressly reckons for each hoplites, on an average, one light-armed man, with the exception of the Spartans, of whom each had seven with him.<sup>1</sup> The allied Greek army appears to have had no cavalry, since the states which were strong in cavalry, were on the side of the Persians. But the Athenians had upon that occasion archers for the first time upon land.<sup>2</sup> These were, without doubt, citizens. They belonged to the light-armed corps, and were certainly thetes. At sea over seven hundred archers had already been employed at the battle of Salamis. The Athenians would certainly have led more troops into the field at the battle of Plataea, if they had not had at the same time crews on board the fleet, which fought at Mycale, consisting according to Herodotus of 110, according to Diodorus of 250 triremes under the command of Leotychides, and, on the part of the Athenians, of Xanthippus.<sup>3</sup>

In the next period the Athenian force continued about the same. Cimon commanded two hundred Athenian triremes, and one hundred furnished by the allies, according to one account, but, according to the more reliable account of Thucydides, two hundred triremes in all. By land they were not stronger than before. In the battle of Tanagra (Olymp. 80, 4, B. C. 457), the whole of the Athenian land-forces were present, excepting the detachment at that time in Egypt. With them there were present a thousand Argives, and beside these, other allies. And yet altogether they amounted to only fourteen thousand men; <sup>4</sup> namely, without the light-armed troops, which

<sup>1</sup> Herodot. IX. 28 sqq.; comp. 61. In giving the number of the light-armed, Herodotus reckons eight hundred more than the amount of his own separate statements: this difficulty is inexplicable. I pass over the narrations of Diodorus and Pausanias, since they can be entitled to but little authority. Plutarch, Aristid. 11, agrees with Herodotus in reference to the number of the Athenian hoplitæ.

<sup>2</sup> Herodot. IX. 60; comp. 22. Respecting the archers in the battle of Salamis, see Plutarch, Themistocl. 14.

<sup>3</sup> Herodot. VIII. 131. Diodor. XI. 34.

<sup>4</sup> Thucyd. I. 107; Diodor. XI. 80.

generally were not reckoned. But at the same time there was a fleet of fifty ships at sea, which had been despatched against the Spartans, and which also required a complement of ten thousand men. There was a constant effort, however, to improve and increase both the land and the naval forces. It is related by Andocides, and by Æschines in a passage for the most part very intricate,<sup>1</sup> from which, however, after the correction of the errors some truth may be derived, that in the thirteen years which preceded the war with the Æginetans (Olymp. 77th to 80th, B. C. 472-460), one hundred new ships were added to the two hundred previously existing. A large number had been built, therefore, in order to supply the place of those which had become unserviceable, and to furnish that number of new ones. Beside this, a corps of three hundred cavalry had been formed, and the first three hundred Scythian archers purchased. During the ensuing armistice concluded with Sparta, Olymp. 83, 3 (B. C. 446), and maintained until the Peloponnesian war, a large number of ships again were built, so that in Olymp. 87, 2 (B. C. 431), a decree could be passed for the reservation of one hundred new triremes for particular purposes,<sup>2</sup> the cavalry were increased to twelve hundred, and a corps of the same number of archers formed.<sup>3</sup> Also after the peace of Nicias (Olymp. 89, 3, B. C. 422), continues Æschines, three hundred sea-worthy, or, as Andocides says, even four hundred triremes, were possessed or procured. Tolerably consonant with the principal statements which have been here quoted, is the estimate of Pericles upon the breaking out of the Peloponnesian war.<sup>4</sup> According to it Athens had not, even at that time, more than thirteen thousand heavy-armed soldiers fit for service in the field. But, beside these, there were, for garrisoning and defending the city, sixteen thousand of the oldest and youngest of the citizens, and of those of the aliens under the protection of the state who were heavy-armed. There were also, according to his estimate, twelve hun-

<sup>1</sup> Æschin. π. παραπρ. p. 334-337, derived from Andocides concerning Peace, at the commencement.

<sup>2</sup> See below, Chap. 23 of the present Book. This is what was before the orator's mind.

<sup>3</sup> See above, Chap. 11 of the present Book.

<sup>4</sup> Thucyd. II. 13. The inaccurate Diodorus (XII. 40) deviates a little from this, and is not so diffusive in details as Thucydides.

dred cavalry, including the mounted archers, sixteen hundred archers on foot, and three hundred triremes ready for sea; according to Xenophon,<sup>1</sup> there were at the docks and at sea together, four hundred. Isocrates mentions, after the manner of orators, twice as many as all the other writers.

If we reckon the crews for three hundred triremes at sixty thousand men, their whole complement amounts to no less than 91,800 men; a number inconceivably large for a population of five hundred thousand, of which almost four fifths were slaves. It might, it is true, be said that Athens could not man three hundred triremes, if all the hoplitæ were otherwise employed. But even if we reckon about eight to ten thousand of those who were wont to serve as hoplitæ on land, as included in the complement of the triremes, the armament still remains very large. The apparent difficulty may be elucidated, however, by the following remarks. The number of the hoplitæ was larger than in the accounts of earlier periods, because persons of less or greater age were included, who could serve only in garrisons and not in the field of battle. To them were also added aliens under the protection of the state. All were, it is true, regularly armed, but they were not essentially different from the militia called out in mass upon a general levy in national emergencies, comprising the entire population capable of military service from eighteen to sixty years of age. The aliens under the protection of the state are first mentioned as hoplitæ only among the garrison-soldiers. In later periods they also served in campaigns. To this service even aliens not domiciliated were summoned,<sup>2</sup> but they could not enter the cavalry service,<sup>3</sup> and also the number of

<sup>1</sup> Expedit. of Cyrus, VII. 1, 27; Isoc. Panegy. p. 85. With respect to the number three hundred Aristoph. Acarn. 544 should be compared. There were four hundred places for ships originally prepared in the Piræus, as Strabo informs us, IX. p. 395, and he adds the remark, that the Athenians had sent out that number of vessels. Whether the four hundred trierarchs annually appointed in the earlier periods of the state had relation to this circumstance, may be doubted. See Book IV. 12 of the present work.

<sup>2</sup> Thucyd. IV. 90.

<sup>3</sup> Xenoph. concerning Pub. Rev. 2, 2, 5. Comp. Hipparch. 9, 6. Ammonius also on the word *ισοτελής* remarks, and other passages here and there have been observed by me, to the effect, that the aliens under the protection of the state often marched with the armies into the field. Comp. also C. I. Gr. No. 171.

them among the hoplitæ could not have been large. For many of the Athenian districts furnished a great number of heavy-armed troops composed only of citizens. Acharnæ, not indeed a village of charcoal-burners, as is generally conceived, but a considerable borough,<sup>1</sup> famed for the simple heroic virtue of its hardy inhabitants, alone furnished three thousand.<sup>2</sup> So many the more aliens under the protection of the state, therefore, could be taken for the fleet. For, probably, Athens had more of them in the time of Pericles than in that of Demetrius Phalereus. That they served principally on board the fleet is well known.<sup>3</sup> Together with these were associated the so-called *χωρὶς οἰκοῦντες* (persons who lived by themselves). By these we must understand, with the grammarians, freedmen, or else persons still in bondage, but living apart from their masters upon their own resources.<sup>4</sup> If it be considered that the Spartans caused their helots to march into the field with them; that the Thessalian mounted penestæ were bond-servants; that there was always present with the armies in time of war, as attendants upon their masters, a great number of slaves, who were even ransomed when taken prisoners;<sup>5</sup> that slaves fought even at the battle of Marathon, and in a later period at Chæronea, and by that act gained their freedom from the Athenians,<sup>6</sup> it cannot appear surprising that a large portion of the rowers were slaves. It is remarked, as something unusual, that the seamen of the *Paralus* were all freemen.<sup>7</sup> In the successful naval engagement near the islands Arginusæ there were many slaves on board the Athenian fleet.<sup>8</sup> And as the honor of the victory belonged to them, so it redounds to the honor of the Athenians that they emancipated

<sup>1</sup> Pindar, Nem. II. 16.

<sup>2</sup> Thucyd. II. 20.

<sup>3</sup> Thucyd. I. 143; III. 16; Treatise on the Athen. St. 1, 12; Demosth. Philipp. I. p. 50, 22; and others.

<sup>4</sup> Demosth. as above cited; and H. Wolf on the same; but particularly Harpocr., Suid., Phot. upon the phrase *οἱ χωρὶς οἰκοῦντες*. Lex. Seg. p. 316. The person represented as speaker in the speech ag. Euerg. and Mnesibul, p. 1161, 15, said of a freedman *χωρὶς ὄκει*.

<sup>5</sup> See Book I. 13, of the present work.

<sup>6</sup> Dio. Chrysost. XV.

<sup>7</sup> Thucyd. VIII. 73.

<sup>8</sup> Xenoph. Hell. I. 6, 17.



them, and invested them with the rights of Plateæan citizenship.<sup>1</sup> A large number of slaves was considered not only useful, but even necessary to a state which possessed a naval force.<sup>2</sup> Moreover, many foreign seamen, who served for pay, were employed. These remained as long as they were satisfied, but if the enemy offered them better pay, these mercenaries deserted to them. Thus the Athenians could man far more ships than appears possible relatively to the comparative small number of their free population. Citizens were employed as rowers, in general, only in cases of emergency, except for the sacred triremes. Those who were thus employed in such cases were, for the most part, thetes; knights, or even pentecosiomedimni, very seldom. Finally, sailors were sometimes pressed, even in the countries belonging to the allies, and the states of the latter were con-

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<sup>1</sup> Schol. Aristoph. Frogs, 33; comp. 193, and Schol. Clouds, 6. Aristophanes himself has a more distinct reference to that event in the Frogs, 706. On this the Scholium, at present published in a more complete form than previously, has: *Τὸς συμμαχίσαντας δούους Ἑλλάνικὸς φησιν ἐλευθερωθῆναι καὶ ἐγγραφέντας ὡς Πλαταιεῖς συμπολιτεύσασθαι αὐτοῖς, διεξιὼν τὰ ἐπὶ Ἀντιγένοῦς τοῦ πρὸ Καλλίου.* Antigènes was the archon for Olymp. 93, 2 (B. C. 407), and it follows, therefore, from this passage, as also from the Schol. Frogs, 732, properly corrected by Bentley, that the Atthis of Hellanicus extended to that period. That the passage of Hellanicus referred to the battle near the islands Arginusæ is, accordingly, now undeniable; although the following year, Olymp. 93, 3 (B. C. 406), in which Callias was archon, has been given as the date of that battle (Athen. V. p. 218, A). Hellanicus might have dated the emancipation of the slaves as early as the year Olymp. 93, 2 (B. C. 407), because in this year the decree of the people might have been passed, by which promises were made to the slaves. Such promises are mentioned by the Schol. Clouds, 6, and, according to Diodor. XIII. 97, decrees of that nature had been passed even before the battle, although he says nothing about promises on behalf of the slaves. Nevertheless, the Schol. Frogs, 33, dates the battle near the islands Arginusæ in the archonship of Antigènes, and, at all events, it must have occurred either near the end of the one, or soon after the commencement of the other year; although the commanders in that engagement were not condemned until after the festival of the Apaturia in Olymp. 93, 3 (B. C. 406). This was celebrated in the fourth month (Xenoph. Hell. I. 7, 8). Aristophanes's Comedy of the Frogs was first represented in the seventh month of Olymp. 93, 3 (B. C. 406), the month Gamelion, at the celebration of the festival called the Lenæa. Sturz, Bruchst. d. Hellan. p. 119, has entirely misunderstood the passage of the Schol. Frogs, 706, since he did not know that Plateæans were a kind of Athenian citizens. The full rights of Plateæan citizenship were, in my judgment, first introduced into Athens in Olymp. 88, 1 (B. C. 428). By no means, therefore, ought that passage even before the Scholium had been communicated in its more complete form, to have been referred by Sturz to the battle of Salamis.

<sup>2</sup> Xenoph. concern. Pub. Rev. 4, 42; Treatise on the Athen. St. 1, 11.

strained to send auxiliaries.<sup>1</sup> Even those of them which were subject to the Athenians, although they had a long time previously purchased exemption from military service, were sometimes compelled to comply with such requisitions.

The cavalry were formed from the equestrian order. But, as a military establishment, it at first increased but gradually. The numbers one hundred and three hundred, of which it at first consisted, I have already quoted. Afterwards, according to the scholiast on Aristophanes, and to Suidas,<sup>2</sup> there were six hundred; finally, as Thucydides and Æschines give the number, twelve hundred knights at Athens. The ratio of the cavalry to the infantry was among the Greeks, as a general rule, that of one to ten, and consequently twelve hundred cavalry to thirteen thousand hoplitæ, were in tolerable conformity with this ratio.

But were all the twelve hundred Athenians, and of the equestrian order? That this order might have comprised twelve hundred persons, no one will deny; and indeed, even if it comprised a less number, there might have been so many cavalry, since there were probably some of the *pentecosiomedimni* among them. But Aristophanes reckons only one thousand knights<sup>3</sup> in the comedy of that name represented Olymp. 88, 4 (B. C. 425). Philochorus had given the same number in the fourth book of the *Atthis*,<sup>4</sup> without being ignorant, however, that this was not always exactly the number. Demosthenes also gives the same number,<sup>5</sup> and Xenophon proposes, in order to raise the number of the cavalry sooner and easier to that of one thousand, which he evidently considers the usual number, that two hundred foreign troopers should be maintained.<sup>6</sup> The opinion of Petit,<sup>7</sup> that the authors cited had used a thousand, as a round number,

<sup>1</sup> See Book III. 16, of the present work.

<sup>2</sup> Schol. Aristoph. Knights, 624, and from the same Suidas on the word *ἱππεῖς*. Diodor. XIII. 72, cannot be quoted in reference to this subject with certainty; for among the twelve hundred Athenian cavalry mentioned by him, there may have been also mercenaries, as, for example, Thessalians. The passage of Harpocration cited by Zeune on Zenoph. Hipparch. 9, 3, has no reference to this subject.

<sup>3</sup> Knights, vs. 225.

<sup>4</sup> In Hesych. on the word *ἱππῆς*.

<sup>5</sup> Concern. the Symmor. p. 181, 17.

<sup>6</sup> Hipparch. as above cited.

<sup>7</sup> Leg. Att. VIII. 1, 2.

is justly rejected by Larcher,<sup>1</sup> because twelve hundred is a number no less round. But the opinion of the same learned writer, that the difference in the accounts arose from the decrease of the knights, from the beginning of the Peloponnesian war until the date of the representation of Aristophanes's comedy bearing their name, in number about two hundred, is not conceivable. I much rather concur with Schneider's opinion,<sup>2</sup> that the mounted archers, as Thucydides expressly mentions, were included among the twelve hundred. Exclusive of these, there may have been a thousand; a hundred from each tribe. These latter were Athenians, and armed after the Greek fashion. The two hundred mounted archers, doubtless, as well as those archers who served on foot, were Scythians, and in relation to the cavalry are to be considered as light armed. As such they rode in front, even before the hipparchus;<sup>3</sup> and in a speech in the works of Lysias, it was mentioned as a disgraceful act<sup>4</sup> for an Athenian to perform cavalry service among the archers. That Xenophon says nothing of a corps of cavalry at Athens, consisting of foreigners, but merely proposes the formation of such a corps, is no objection to the opinion above advanced; for these same archers being light-armed troops, were not taken into consideration when the maintaining or improving of that body of cavalry, which was composed of citizens, was the subject of discourse. Thucydides mentions sixteen hundred archers as serving among the infantry; the orators only twelve hundred. This difficulty, also, may probably be solved by the supposition, that the number of the foreign Scythian archers was at most twelve hundred,<sup>5</sup> but that the rest of the archers were citizens of the inferior classes, or aliens under the protection of the state, light armed, and specially practised in archery. Archers are mentioned as having been present at the battles of Salamis and Plataea, before any Scythians had been purchased. A distinct vestige is con-

<sup>1</sup> In his otherwise superficial treatise on the Equestrian Order among the Greeks, *Mem. de l'Acad. des. Inscript.* tom. XLVIII. p. 92.

<sup>2</sup> On Xenoph. Hipparch. as above cited.

<sup>3</sup> Xenoph. *Mem. Socrat.* III. 3, 1.

<sup>4</sup> Lysias ag. Alcib. *λειποταξ.* II. p. 565. This passage is decisive, although the speech was probably not composed by Lysias, but by some other contemporary author.

<sup>5</sup> *Comp. Book II. 11.*

tained in an inscription,<sup>1</sup> that a distinction was made between foreign archers and archers who were citizens (*ξενιστὶ ἀσ*); also in another inscription of a date long prior to the Peloponnesian war, containing a list of the dead of the tribe Erectheis, the names of archers are given. They must, therefore, have been citizens.<sup>2</sup> The Athenians, as is mentioned by Thucydides and Pausanias, had, beside others, sometimes Cretan archers in their pay.<sup>3</sup>

The military and naval force which was in active service in the Peloponnesian war, appears conformable to this account of the Athenian power. Of this I will quote some examples. Immediately upon the beginning of the war, Pericles sent one hundred ships to the Peloponnesus. With these, fifty Corcyrean ships, and other vessels of the allies, were united. At the same time thirty went to Locris, while Attica itself must have been defended.<sup>4</sup> So in the second year of the war, while the enemy were in Attica, Pericles went with a hundred Athenian, fifty Lesbian and Chian triremes, four thousand hoplitæ, and three hundred cavalry to Epidaurus. In the fourth year of the same war, when the Lesbians revolted, forty triremes were sent against them, and at the same time thirty were despatched against the Peloponnesus, and a hundred more were equipped in order to repel an invasion of Attica. These were manned with Athenians of the classes below those of the knights and of the pentecosiomedimni, and with aliens under the protection of the state.<sup>5</sup> At the end of the summer an additional thousand hoplitæ were sent to Lesbos. These rowed the ships which conveyed them thither themselves.<sup>6</sup> Thucydides remarks, that the number of ships in active service

<sup>1</sup> C. I. Gr. No. 80.

<sup>2</sup> C. I. Gr. No. 165. The archers, whose names are contained in a list of the dead of the date of the Peloponnesian war, C. I. Gr. No. 171, are, on the contrary, not to be considered citizens; see the Ann. Vol. I. p. 305 seq. I omit the mention of archers in other inscriptions, because they give no information which deserves quoting. I will remark, however, that in an inscription quoted further onward (Chap. 22), of a date prior to the archonship of Euclid, contained in Rangabe's work, No. 265 and 266, they are mentioned in connection with peltastæ. In it, however, only the letters TOX remain of the word TOXOTAI.

<sup>3</sup> Thuc. VI. 25, 43. Comp. VII. 57; Paus. I. 29, 5.

<sup>4</sup> Thuc. II. 24-26.

<sup>5</sup> Thuc. II. 56; III. 3, 7, 16.

<sup>6</sup> Thuc. III. 18.



was at that time very large, but that it was still larger at the beginning of the war, when a hundred ships protected Attica, Salamis, and Eubœa, a hundred were in the vicinity of the Peloponnesus, and fifty more at Potidæa and other stations; together, 250. There were besides, 4,600 hoplitæ before Potidæa, (sixteen hundred, however, for but a short period,) and the same number of servants.<sup>1</sup> Here we find, without the land-forces which remained in Attica, sixty thousand men in active service. The expedition to Sicily was upon no less a scale.<sup>2</sup> Notwithstanding the war was continued in Greece, the Athenians decreed that sixty ships should be sent to Sicily under the command of Nicias and Alcibiades. But since Nicias, aware of the magnitude of the undertaking, perceived that, beside a great naval force, land troops were requisite, and advised that a large number of hoplitæ, archers, and slingers, both of their own and of the allies, and provision ships and baking apparatus, should be taken with the expedition, and had brought a proposition to that effect before the people, upon their invitation; sixty swift-sailing triremes, together with forty ships conveying soldiers, set sail. To these were added thirty-four triremes of the allies, two Rhodian pentecontori, a ship conveying horses, and, beside the vessels voluntarily sailing with the expedition, one hundred and thirty provision ships, having many mechanics on board. Of the hoplitæ there were 5,100. Among them seven hundred thetes who belonged to the ship's complement itself, but had been converted into hoplitæ, and fifteen hundred whose names were in the list of those persons who were liable to regular military service, were Athenians. The rest were mostly subject allies, together with a few mercenaries. Beside these, there were 480 archers, eighty of them Cretans, seven hundred Rhodian slingers, 120 light-armed Megarian exiles, and thirty cavalry. If we reckon the crew of each of the 134 triremes, after deducting the ten hoplitæ belonging to them,<sup>3</sup> at 190 men, and upon the two pentecontori only 120 men, and add the servants of the hoplitæ, and cavalry who did not belong to

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<sup>1</sup> Thuc. III. 17.

<sup>2</sup> Thuc. VI. 8, 21, 22, 31 sqq. 43.

<sup>3</sup> See Book II. 22, of the present work.

the crews, the sum will be nearly thirty-six thousand men.<sup>1</sup> In it, however, the crews of the provision ships and the laboring people are not included; so that, even if the servants of the hoplitæ and cavalry were not reckoned, our computation cannot be too high. At a later period there followed, without their horses, 250 troopers, who were to be furnished with horses in Sicily, and thirty mounted archers.<sup>2</sup> And yet, in addition to these ships, thirty more could be sent to the Peloponnesus,<sup>3</sup> and small fleets were scattered in various places. At a subsequent period ten ships were sent, under the command of Eurymedon, to Sicily, as a reinforcement, and twenty to the blockade of the Peloponnesus. Soon afterwards, thirty more were sent, under the command of Charicles, to the Peloponnesus. He was accompanied by Demosthenes, with sixty Athenian and five Chian ships, having on board twelve hundred Athenian hoplitæ, whose names were in the catalogue of citizens liable to regular military service, and other hoplitæ from the islands. The Thracian pelastæ, who came too late, were sent back for want of means to pay them. Other troops, however, were taken on board from different places, and other vessels were associated, but in part again detached. When Demosthenes and Eurymedon arrived in Sicily, they had seventy-three triremes, five thousand hoplitæ, a number of Greek and Barbarian corps, who were slingers, archers, or armed with javelins.<sup>4</sup> If the whole number of per-

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<sup>1</sup> I reckon as follows : —

Crews of the triremes, without hoplitæ, . . . . .	25,460
Hoplitæ, . . . . .	5,100
Archers, slingers, Megarians, . . . . .	1,300
Servants of the hoplitæ (after deducting the 1,340 men belonging to the triremes), . . . . .	3,760
Cavalry, together with servants, and sixty rowers, . . . . .	120
For the pentecontori, . . . . .	120
	<hr/> 35,860

For the reason why I do not reckon any servants for the hoplitæ belonging to the ship's complement, see Chap. 21, near the end. The number of the rowers for a ship used for transporting horses, is designated according to the accounts given in the "Seeurkunden." It is a matter of course, however, that the whole computation cannot be exactly accurate.

<sup>2</sup> Thuc. VI. 94. Comp. Plutarch, Alcib. 20.

<sup>3</sup> Thuc. VI. 105.

<sup>4</sup> Thuc. VII. 16, 17, 20, 27, 42. Diodorus is less definite than Thucydides in his statements. Upon the whole, however, he agrees with him. See XII. 84; XIII. 2, 7, 8, 9, 11.

sons who went to Sicily after the despatching of the first fleet be added together, namely, cavalry, hoplitæ, light-armed troops, crews of vessels, and servants, the sum will be about twenty-five thousand. So that the whole armament which was sent to Sicily, amounted to over sixty thousand men. In this number, moreover, the Sicilian auxiliary troops are not included, but only those of the Greeks and Italians. But in the decisive naval battle near Syracuse, only 110 ships engaged, and these in part not in good sailing condition.<sup>1</sup> After the battle, as Thucydides records,<sup>2</sup> forty thousand men remained. This force was destroyed by land; eighteen thousand were killed, seven thousand taken prisoners in a body, the rest were either kept, or sold singly, as slaves by the soldiers.<sup>3</sup> Diodorus makes Nicolaus, therefore, say too little, when he represented the Athenian force in Sicily to have consisted of more than two hundred ships, and over forty thousand men.<sup>4</sup> He might have said over sixty thousand.

This loss was the greatest which the Athenians had ever suffered. But disasters resembling this had been experienced even in preceding times. "In Egypt," says Isocrates,<sup>5</sup> who gives a remarkable, though inaccurate summary of the defeats of Athens, "two hundred triremes were destroyed together with their crews, 150 near Cyprus, in Pontus ten thousand hoplitæ of our own, and of the allies, in Sicily and its vicinity forty thousand men and 240 triremes, finally in the Hellespont two hundred. But the triremes which have been lost by tens, and fives, and the men who have perished by thousands, and two thousands, at a time, who will enumerate these?" Hence, in order to restore the number of the citizens reduced by these losses, the *phratriæ* were

<sup>1</sup> Thuc. VII. 60.

<sup>2</sup> Thuc. VII. 75.

<sup>3</sup> Diodor. XIII. 20.

<sup>4</sup> Diodor. XIII. 21. Manso ascribes to Diodorus a statement which he has not made, and then censures him as exaggerating. See Sparta, Vol. II. p. 455.

<sup>5</sup> *Συμμαχ.* 29. To what the loss of ten thousand hoplitæ in Pontus refers, I do not know; but probably not at all to the auxiliary troops of Cyrus, which had nothing to do with the Athenians, although of this there may be some question. Ælian V. H. V. 11, transcribes this passage of Isocrates, but discreetly omits the mention of these ten thousand hoplitæ. The manner in which Isocrates enumerated the 240 ships Perizonius on Ælian has correctly shown. That the population of Athens, in its later periods, was a promiscuous rabble, was justly observed by Cn. Piso, Tac. Annal. II. 55.

filled with foreigners, and the books of the *lexiarchi* with their names. The races of the most renowned men, the most eminent families, which had been preserved throughout the internal commotions and revolutions, and throughout the Persian wars, became a sacrifice to the efforts of the state to obtain the supremacy, and were soon extinct. Probably no state ever naturalized so many foreigners as Athens. Hence that mixture of languages, even in the early periods of the state, of which complaint is made in the ancient treatise on Athens. But by this means alone could the state sustain itself notwithstanding so great losses. With regard to the defeat in Sicily, however, it affected many foreigners. The greater part of the citizens were at home. For it was more than ordinarily requisite that the city should not be left ungarrisoned, since the Spartans at that very time, after Alcibiades had been recalled from Sicily, occupied and kept constant possession of Decelea. The fact that by the political constitution introduced in Olymp. 92, 1 (B. C. 412) immediately after the Sicilian war, only five thousand *hoplitæ* participated in the government,<sup>1</sup> is certainly to be explained, in part from the disasters of the war, but in part also from the circumstance, that the *thetes* were not reckoned in this constitution, because according to law they did not perform the service of *hoplitæ*. They could with the less reason, therefore, be reckoned in it as *hoplitæ*, because the design was to frame an aristocratic constitution, by which the *hoplitæ* should form the public assembly. It is certain that for this reason even many, who were not *thetes*, were excluded from it. The same was the case with respect to the three thousand in the period of the anarchy,<sup>2</sup> who were *hoplitæ*, but were not the only persons in the state, who might have been. They were a body arbitrarily selected from the number of the citizens which remained at home.

Thus Athens sustained herself in the years which succeeded the Sicilian expedition, notwithstanding the unfavorable circumstances in which she was placed, defeated the Lacedæmonians near Abydos (Olymp. 92, 2, B. C. 411) with eighty-six ships,<sup>3</sup> and soon afterwards the second time near Cyzicus.<sup>4</sup> Then appeared

<sup>1</sup> Thuc. VIII. 97.

<sup>2</sup> Xenoph. Hell. II. 3, 12, 13, 4, 2.

<sup>3</sup> Thuc. VIII. 104; and Diodor. XIII. under Olymp. 92, 2.

<sup>4</sup> Xenoph. Hellen. I. 1; Diodor. XIII. under Olymp. 92, 3.



Alcibiades with a hundred, and subsequently Conon with seventy ships.<sup>1</sup> And since this fleet was not successful, the Athenians prepared Olymp. 93, 2 (B. C. 407), within thirty days, 110 ships. Their complements were taken from all classes of men, who were able to do military service, whether slaves or freemen. Even some knights went with them. To these were added ten Samian, and more than thirty other ships of the allies, and several stationed at different points were associated with the main fleet. Together there were more than 150 vessels. Beside these Conon had seventy with him, of which, it is true, thirty were afterwards lost.<sup>2</sup> The crews of those more than 150 ships which fought the naval battle near the islands Arginusæ amounted to over thirty thousand men; those of Conon's fleet to fourteen thousand. Beside these there must have remained at home many who were able to do duty in the military and naval service. Finally, in the battle near Ægospotamoi the Athenians had 180 triremes, or thirty-six thousand men.<sup>3</sup>

Even after the unfortunate termination of the Peloponnesian war the Athenians soon recovered themselves, and could in Olymp. 100  $\frac{3}{4}$  (B. C. 378-7) even think of preparing, according to Polybius, one hundred, according to Diodorus, two hundred ships, and of raising as the former records ten thousand hoplitæ, according to the latter, twenty thousand, and five hundred cavalry.<sup>4</sup> The forces of Chares, Timotheus, Chabrias, and Iphicrates, as the historians inform us, were not inconsiderable. Even after this period the state, according to Isocrates, possessed two hundred triremes. Demosthenes in the 106th Olymp. (B. C. 356) reckons three hundred triremes as the naval force, which could be fitted out in case of necessity, together with a thousand cavalry, and as many hoplitæ as might be desired.<sup>5</sup> Lycurgus procured for the state, according to an account in round numbers,

<sup>1</sup> Xenoph. Hellen. I. 5; Diodor. under Olymp. 93, 1, 2.

<sup>2</sup> Xenoph. Hellen. I. 6; Diodor. under Olymp. 93, 3. I have; after deliberate consideration, changed the date of the fitting out of this fleet, usually given, to that of Olymp. 93, 2, in the archonship of Antigenes (see sup. p. 361, note 1).

<sup>3</sup> Xenoph. Hellen. II. 1, 13; Diodor. under Olymp. 93, 4.

<sup>4</sup> Diodor. XV. 29; Polyb. II. 62; Comp. Book IV. 4.

<sup>5</sup> Isocr. Areopag. I.; Demosth. concern. the Symmor. p. 181, 17; p. 183, 15; p. 186, 8.

as it appears, even four hundred sea-worthy triremes.<sup>1</sup> The Athenians aided the Byzantines with not less than 120 ships, with hoplitæ, and missive engines.<sup>2</sup> Before the battle of Chæro-neia it was decreed, that two hundred ships should be sent to sea.<sup>3</sup> Not long before Olymp. 112, 3 (B. C. 330) the Athenians began to build tetrereis also. In Olymp. 113, 4 (B. C. 325), they possessed beside 360 triremes, and fifty tetrereis, even three pentereis.<sup>4</sup> Nevertheless, the military and naval force was continually declining, because the citizens, no longer willing to serve, preferred employing mercenaries to carry on their wars, while they consumed the public money at home in feasting. It is true that mercenaries previously levied had been maintained even during the Peloponnesian war, in part on board the fleet as rowers, in part those who had entered the service as hoplitæ, or companies of light-armed soldiers. Of this frequent examples are found; but it had not yet become a principle to abandon the wars to the mercenaries. Isocrates<sup>5</sup> complains at the time of the war with some of the states, which had been allied to Athens, that the citizens did not engage in active service themselves, but employed persons, who were exiles, or refugees from their native land, deserters, and other criminals, and who would immediately take the field against Athens, if higher pay were offered them. And this was done at a time when the expenses of the administration could scarcely be defrayed. Whereas formerly, when there was abundance of silver and gold in the citadel, the citizens themselves performed military service. Ten thousand, twenty thousand mercenaries were wont to be enrolled for service, but it was only a paper-force, and a mere decree of the people went out with the general. Ten generals were chosen, ten taxiarchi, ten phylarchi, two hipparchi. But they all, with

<sup>1</sup> See Meurs. Fort. Att. VII. and particularly the third decree appended to the Lives of the Ten Orators. See more definite official accounts in the work on the "Securkunden," p. 79.

<sup>2</sup> Decree of the Byz. in Demosth. concern. the Crown, p. 256, of uncertain authority.

<sup>3</sup> Decree of the people in Demosth. concern. the Crown, p. 290, near the top, of uncertain authority.

<sup>4</sup> See the work on the "Securkunden," p. 79, and respecting the periods in which the larger ships were begun to be built by different kings and peoples, p. 75. The Persians also made use of pentereis, even as early as the time of Artaxerxes Ochus (Diod. XVI. 44, under Olymp. 107, 2).

<sup>5</sup> Συμμυχ. 16.

the exception of one, remained at home, and together with the superintendents of the sacrifices arranged and guided the processions at the celebration of the festivals, and directed the offering of the sacrifices. Every general underwent two or three capital trials, having been defeated with his mercenaries, and been accused through intrigue. In order to avoid these evils, Demosthenes advised, that the fourth part of the standing army, for constituting which he had brought a proposition before the people, should be formed of citizens. These practices of themselves are sufficient to account for the ill success of the Athenians at this period, without adding that often even a foreign leader of the mercenaries was himself the general of the army, that the armaments were never ready at the proper time, and that the war strategically was badly conducted.<sup>1</sup> The greatest mercenary force, which Athens in this period collected against Philip, consisted, according to the account of Demosthenes, of fifteen thousand infantry, and two thousand cavalry furnished by the Eubœans, Achæans, Corinthians, Thebans, Megarians, Leucadians, and Corcyreans, apart from the force composed of citizens of those states.<sup>2</sup> Others than these Athens had to maintain at its own cost.

The number of a land-force must, when hoplitæ and cavalry are expressly mentioned, always be estimated at double the amount given by the author. The hoplites had a servant (*ὑπηρέτης, σκευοφόρος*) who carried his baggage, provisions, and also his shield; the trooper, a groom who took care of his horse (*ἵπποκόμος*).<sup>3</sup> This arrangement alleviated the service of the warrior, but must have necessarily occasioned an immense amount of marauding. For the marines, who belonged to the complements of the ships of war, I reckon no servants. They needed but few services, and those could be performed by the servants which belonged to the vessels, and if they were employed in descents

<sup>1</sup> Demosth. Philipp. I. p. 45, 47, 53.

<sup>2</sup> Demosth. concern. the Crown, p. 306; and thence Plutarch, Life of Demosth. 17. The number stated in the first decree of the people appended to the Lives of the Ten Orators, and in Æsch. ag. Ctesiph. p. 488, (comp. p. 536) is less. Æschines gives a less number, because he does not include the Theban mercenaries.

<sup>3</sup> Thuc. III. 17; VII. 75, 78; Xenoph. Hell. II. 4; Comp. Barthél. Anachars. Vol. II. p. 145.

upon the land, servants could be assigned to them from the mariners. The land-forces, moreover, were of course attended by a large train of wagons and asses<sup>1</sup> and of settlers.

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## CHAPTER XXII.

### PAY AND SUBSISTENCE OF THE MILITARY AND NAVAL FORCES.

IN ancient times the troops received no pay, except when foreigners bound themselves to serve for hire to promote the objects of a state foreign to their own. This was first practised by the Carians and among the Greeks, particularly by the Arcadians, who resembled in this respect the modern Swiss. Pericles first introduced at Athens the custom of paying the soldiers, who were of the class of citizens.<sup>2</sup>

Pay was given under two different appellations : first, wages, for the toil of the service (*μισθός*), which the soldier, with the exception of what he was obliged to spend upon his weapons and clothing, could lay up ; secondly, a sum of money for subsistence (*στρατοῦσιον*, *στράτευμα*, *στῆτος*), which was seldom furnished in kind. Since the soldiers were mostly free citizens, it was thought that they ought to be well paid. The most perilous art, courageously practised by free citizens, ought to maintain the man who thereby set his life at hazard. The generals, and other officers alone were proportionally ill paid, because their distance from the common soldier, in point of rank, was not so great as it is at the present day ; the honor of the office was considered as an indemnification, and the general might enrich himself by booty and contributions. The payment was usually made in gold ; by the Athenians, however, for the most part, probably in their own silver :<sup>3</sup> at the same time the subsistence money was paid. On this account the lat-

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<sup>1</sup> Xenoph. *Œcon.* 8, 14 ; and frequently in the historians.

<sup>2</sup> Ulpian on Demosth. *περὶ συντάξ.* p. 50, A.

<sup>3</sup> The Athenian commanders, as the treasury accounts show, often received gold out of the treasury. Whether they disbursed it as pay without changing it, cannot be ascertained.



ter was not always properly distinguished by ancient authors from the wages, or pay, and, therefore, also cannot be perfectly distinguished by me. The pay of an hoplites never amounted to less than two oboli a day, and the same may be said of the subsistence money. This was still the common rate in the age of Demosthenes, since the orator reckons ten drachmas a month for the subsistence money of an hoplites, and thirty drachmas a month for that of a trooper. Both together, therefore, amounted to four oboli a day, for the hoplites. The servant was not always separately paid. On account of this rate of their pay, it was a common saying, that the life of a soldier was the tetrobolon, or four-oboli life (*τετρωβόλον βίος*).<sup>1</sup> More than this, however, was frequently paid. In the beginning of the Peloponnesian war, the hoplitæ who besieged Potidæa received each two drachmas a day, one for themselves, the other for their servants.<sup>2</sup> In this instance the pay doubtless was reckoned at three oboli, and the subsistence money at the same rate. In the *Acharnians* of Aristophanes,<sup>3</sup> some Thracians are introduced, who demand two drachmas as pay, including of course the subsistence money. The Thracians who in the time of the Sicilian war were sent back for want of money to pay them, were to have received a drachma a day each.<sup>4</sup> The whole force which served in this expedition was paid at the same rate. If here again one half be reckoned for pay, the other for subsistence money, each amounted to three oboli. The younger Cyrus gave to the Greeks who served under his command, at first a daric a month, afterwards one and a half.<sup>5</sup> Rating the value of gold as tenfold that of silver, the former was equivalent to twenty, the latter to thirty drachmas of silver. But gold was certainly current in traffic at a higher rate than that. Seuthes gave a stater of Cyzicus a

<sup>1</sup> Eustath. on the *Odyss.* p. 1405; on the *Il.* p. 951 ed. Rom. A passage of the comic author Theopompus, in which a payment of two oboli is mentioned, can be understood only of the pay without the subsistence money. See Book I. 21, of the present work. In an inscription, very much mutilated, of a date prior to the archonship of Euclid, published in Rangabé's *Antt. Hell.*, archers are mentioned, and immediately afterwards four oboli. Probably the latter were the pay of the former: but whether with or without subsistence money?

<sup>2</sup> Thuc. III. 17. To this passage Pollux, IV. 165 refers.

<sup>3</sup> Vs. 158. This comedy was first represented Olymp. 88, 3 (B. C. 426).

<sup>4</sup> Thuc. VII. 27.

<sup>5</sup> Xenoph. *Exped. of Cyrus*, I. 3, 21.

month: two to the lochagi, and four to the generals.<sup>1</sup> The same gold coin is also mentioned as monthly pay in other passages.<sup>2</sup> The doubling and quadrupling of the same for the officers was probably quite a general custom. Thus Thimbron, for example, offered the common soldiers a daric a month, and the officers as much more in proportion, as Seuthes had paid.<sup>3</sup> Indeed even common mercenaries, when they particularly distinguished themselves, received from those who knew how to attract them, two, three, and fourfold pay (*δικοισίαν, τριποισίαν, τετραποισίαν*).<sup>4</sup> In these instances, moreover, the subsistence money was included, without being mentioned. After the destruction of Mantinea, when, in accordance with a decree of the Spartans and their allies, an army was to be raised, it was left optional to those who were concerned to give money instead of troops, at the rate of three Æginetan oboli a day for a foot-soldier, and twelve for a trooper.<sup>5</sup> But three Æginetan were equivalent to five Attic, or in the reduced standard, to  $4\frac{1}{2}$  Attic oboli. They were in this case evidently given for pay and subsistence money together. In the time of the Peloponnesian war the same sum was stipulated to be paid for subsistence alone. For in the alliance of the Athenians, Argives, Mantineans, and Eleans it was stipulated that the state which rendered aid should supply their troops sent for this purpose with provisions for thirty days; and that, if the latter remained longer than that period, the state which they should be assisting should give the infantry three Æginetan oboli a day to each man, and twice that number to each of the cavalry for subsistence (*σῆτος*).<sup>6</sup>

I will add still a conjecture respecting the pay in the army of Alexander the Great in Asia. In it single and double pay was given to different persons respectively, and there was still an intermediate rate. He who received double pay was called *δικοισίτης*, and he to whom the intermediate rate was given *δεκαστάτης*.<sup>7</sup> This expression can be understood only of monthly,

<sup>1</sup> Xenoph. Exped. of Cyrus, VII. 3, 19; comp. VII. 6, 1.

<sup>2</sup> Xenoph. the same, V. 6, 12.

<sup>3</sup> Xenoph. the same, VII. 6, 1.

<sup>4</sup> Xenoph. Hellen. VI. 1, 4.

<sup>5</sup> Xenoph. the same, V. 2, 14 (21 Schm.).

<sup>6</sup> Thuc. V. 47.

<sup>7</sup> Arrian, Exped. of Alexand. VII. 23, 5. By inference from the correct remark,

not of annual pay, since pay was commonly paid and reckoned by the month. Also it cannot be conceived that gold staters are meant, because no view founded upon that supposition could be formed, possessing any degree of probability. But I believe that the matter can be easily explained, if it be assumed that monthly pay and silver staters are intended; for the Macedonian silver money from the time of Alexander, the Attic standard was adopted, and the stater, according to this, was equivalent to four Attic drachmas. The pay of the intermediate rate, therefore, amounted to forty drachmas a month, the double pay to more than forty drachmas. It seems most natural to suppose, that the single pay amounted to thirty drachmas a month, one a day, including the subsistence money, and the double pay consequently to sixty drachmas a month. Less probable appears to me, but not impossible, however, the designation of the three rates at twenty-five, forty, and fifty drachmas. It may be presumed that Alexander gave his warriors in Asia good pay; but a drachma a day, as single pay, was ample compensation. It is at the same time evident, moreover, from the preceding accounts, that the cavalry, in relation to the infantry, were very differently treated, since the pay and subsistence money of the former amounted to sometimes double, sometimes to three or four times that of the latter. In Athens the rule was, that the pay of the cavalry should be threefold that of the infantry: if the hoplites received two oboli for subsistence money, the trooper received a drachma.<sup>1</sup> The latter was the ratio among the Romans.<sup>2</sup>

The land-soldier, as the above examples show, was paid the best in the Peloponnesian war. In the later periods, and particularly in the time of Philip, less pay was given, since the multitude of adventurers and mercenaries had increased, and

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that the soldier commonly received four oboli (two thirds of a drachma), the word *δμοιρίτης* in relation to pay is incorrectly explained in Lex. Seg. p. 242. In Suidas on the word *δμοιρίτης*, both the true and the false are found together (also with the false reading besides; *τριώβελον*, instead of *τετρώβολον*). The latter is given also by the Schol. of Lucian, in the passages which are examined in the Paris edition of Steph. Thes. L. Gr. Vol. II. p. 1503. It is evident from what has been said respecting *δμοιρία*, and from Arrian, that *δμοιρίτης* means one who receives double pay.

<sup>1</sup> Demosth. Philipp. I. p. 47.

<sup>2</sup> Lipsius, Milit. Rom. V. 16.

the substantial citizen, who must have received more in order to live respectably and in abundance, seldom served.

The pay in the naval service, likewise, fluctuated, but appears never to have been diminished in the same degree as the pay of the land force. It was first higher, then became lower, and then again somewhat higher. When it is mentioned by ancient authors, and in inscriptions, it is generally as the pay of whole ships' companies, and for this reason it is necessary here at the same time to treat of the number of men which composed the complement of a trireme. A distinction was made between the pay and subsistence, or *siteresion*,<sup>1</sup> both of the naval force, as well as of the land troops. The *siteresion* was frequently given to the naval force also in money,<sup>2</sup> and indeed by the state itself. When the commanders had no money, however, the trierarch probably would make an advance, or spontaneously engaged the seamen at his own cost.<sup>3</sup> Demosthenes reckoned twenty minas a month as the subsistence money for a trireme.<sup>4</sup> This, upon the supposition that two hundred men on board of a trireme were all paid alike, or rather that two hundred times the pay of a common sailor would be required to pay the whole crew, would give two oboli a day for each man, the same sum which, according to the plan of Demosthenes, a common land soldier was to receive. Now, since the pay and subsistence money used to be equal, the common seaman received at that time four oboli for both, the sum received by the *paralitæ* for the same purpose in time of peace.<sup>5</sup> On the other hand, the Athenians, in the beginning of the Peloponnesian war, gave the crews of their vessels a drachma a day for each man.<sup>6</sup> The same pay was given in the Sicilian expedition; and in it the trierarchs also gave the *thranitæ*, and certain other persons employed in working the ships, as the steersman, for example, special additions to their pay.<sup>7</sup> If we again reckon the crew of a trireme at two hundred men, the monthly pay at this rate

<sup>1</sup> Demosth. ag. Polycl. p. 1209, 12.

<sup>2</sup> Speech ag. Timoth. p. 1187, 21; Demosth. ag. Polycl. p. 1223, 19; p. 1224, 1.

<sup>3</sup> The latter, for example, in the case mentioned in Demosth. ag. Polycl. p. 1208, 15.

<sup>4</sup> Philipp. I. p. 47, 48.

<sup>5</sup> See Book II. 16, of the present work.

<sup>6</sup> Thuc. III. 17.

<sup>7</sup> Thuc. VI. 31, with the schol.



amounted to a talent. In accordance with this, it is related, that the Egestæans, in order to enkindle war against Syracuse, sent sixty talents to Athens as a month's pay for sixty vessels.<sup>1</sup> As a general rule, however, the Athenians gave, even at that time, only three oboli, evidently for pay and subsistence-money together. When a drachma was given, it was done for the purpose of exciting special zeal, and of inducing a concourse of persons to engage in the service. Thus, Tissaphernes promised in Sparta to give the Peloponnesian seamen an Attic drachma daily, and at first he kept his word (Olymp. 92, 1, B. C. 412); but afterwards, instigated by Alcibiades, he would not give, until the king allowed the whole drachma, more than three oboli, since even Athens, which had had so long experience in naval affairs, likewise gave only three oboli, and indeed not on account of her poverty, but in order that, among other reasons, the seamen might not, having a superfluity of money, wantonly expend it upon things which would have a tendency to enervate their bodies. He consented, however, to give, instead of three oboli a day for each man, three talents a month for five ships; thirty-six minas, consequently, for one; or for each man, reckoning the crew of a trireme at two hundred, eighteen drachmas a month,  $3\frac{3}{5}$  oboli a day.<sup>2</sup> The stipulation between Sparta and

<sup>1</sup> Thuc. VI. 8.

<sup>2</sup> Thuc. VIII. 45, 29. The latter passage, Palmerius and Duker alone have correctly understood. The annotation of the latter is the most worthy of notice. The reading in that passage evidently should be, *ἐς γὰρ πέντε ναὺς τρία τάλαντα ἐδίδου τοῦ μηνός*, and the words *καὶ πεντήκοντα* are an unintelligible addition from III. 26. The preceding words, *ὅμως δὲ παρὰ πέντε ναὺς πλεον ἄνδρὶ ἐκάστω ἢ τρεῖς ὀβολοὶ ὡμολογήθησαν*, contain the same meaning, since *παρὰ πέντε* manifestly mean *for every five ships*. This use of *παρὰ*, although not common, does not seem to be impossible. What follows, namely, *καὶ τοῖς ἄλλοις, ὅσων πλείονες νῆες ἦσαν τούτου τοῦ ἡριθμοῦ κατὰ τὸν αὐτὸν λόγον ἐδίδοδο*, also shows the propriety of the correction. The meaning of these words is, that, when the number of ships of a detachment from a fleet could not be divided by five without a remainder, for example, when the detachment consisted of eight ships, the overplus should be paid at the same rate. If five ships received three talents, or 180 minas, three received 108 minas. Nevertheless, it must be acknowledged that the phrase *παρὰ πέντε ναὺς* is superfluous, and Krüger's proposal for its omission has to me much to recommend it. On the other hand, the view that to every fifth ship, successively interchanging, the whole sum, which exceeded the daily pay of three oboli for each man, should be given, contains a very unpractical idea. As a reason why this strange method of apportionment may have been adopted, it is alleged that three and three fifths oboli could not be disbursed. It is true that three fifths of an obolus could

Persia was for only three oboli;<sup>1</sup> and Tissaphernes gave the rest, without previously obtaining the royal assent, merely as an additional allowance. At a later period, also, when the Spartans demanded of Cyrus the younger a drachma, and supported their pretension by alleging, that, in case he should comply with their demand, the Athenian seamen would desert to them, because they received only half that sum, he appealed to the stipulation by which each ship was to receive only thirty minas a month, or each man three oboli a day. Cyrus was induced, however, by their solicitations, to give to each seaman an additional obolus, so that each after that received four oboli a day.<sup>2</sup> In this case, two hundred men were reckoned to the trireme. Moreover, the seamen, when they were first engaged, received presents, as bounty, and advances of pay; they were generally rather extravagant in their demands, and it was difficult to retain them. Money to pay travelling expenses was frequently given to those who left home, either by land or water, to engage in a military or naval expedition; particularly by private individuals.<sup>3</sup>

The preceding accounts respecting the pay of seamen coincide in the fact that there were in a trireme two hundred men to be paid; and, indeed, not navigators or sailors alone, but the marines were also included. For there is no mention to be found of a separate payment for them, and when the ancients speak of the pay of a vessel's crew, the marines are evidently comprised among the seamen. Since, however, doubt has been raised, whether a trireme had so large a crew, it seems necessary to adduce additional proof in confirmation of our assumption.

According to Herodotus, Clinias, the son of Alcibiades, served in the battle of Salamis with a trireme of his own,

not have been paid. But even supposing that the pay was disbursed daily, it would have been much more appropriate to have paid three oboli daily, and every fifth day the additional sum of three fifths ob.  $\times 5 = 3$  oboli. But it is not to be conceived that the pay was daily disbursed. As a general rule, it was paid monthly.

<sup>1</sup> Concerning the stipulation, see Thuc. VIII. 5. That in it only three oboli were stipulated, is evident from Xenoph. Hellen. I. 5, 3.

<sup>2</sup> Xenoph. Hellen. I. 5, 3, 4; Plutarch, Lysander, 4; Alcib. 35.

<sup>3</sup> Demosth. ag. Polycl. p. 1208, 16; p. 1212, 9, 19; concern. the Trierarch. Crown, p. 1231, 10; Thuc. VI. 31; Lysias for Mantith. p. 579.

and two hundred men.<sup>1</sup> The same author<sup>2</sup> reckons the crews in the 1,207 ships of Xerxes at 241,400 men, assuming for each, including the usual number of native marines or epibatæ which belonged to each vessel, two hundred as the regular number. The thirty epibatæ who, beside these, were on board of each ship, did not belong to the usual complement of the vessel, but were added to the already full complement from the Persians, Medes, and Sacæ. Plato sketches in the *Critias*<sup>3</sup> the plan of a military force of the inhabitants of Atlantis, according to the usual manner in his time, except that he adds war-chariots, which are mentioned in ancient authors only as of rare occurrence in the age between the Persian wars and the Peloponnesian war. Of the sixty thousand allotments, into which he divides the country, each was to furnish, beside the chariots and their occupants, two hoplitæ, two archers, and two slingers, three light-armed soldiers for throwing stones, and the same number for throwing javelins, finally, for the complement (*πλῆρωμα*) of twelve hundred ships, four seamen, which make two hundred for each vessel. A single account from antiquity does not correspond with the above view. In the *Rhetorical Dictionary*, namely,<sup>4</sup> the complement of a pentecontorus is rated at fifty men, or a lochus, and that of a trireme at three hundred men, or six lochi. It is possible that the rowers of the triremes were divided into six lochi, each row on each side being considered as a lochus. But that each lochus consisted of fifty men is certainly false. It rather consisted of about twenty-five men, as the military lochus frequently did, so that about fifty men completed the remainder of the ship's company.

But, says one, if two hundred men were on board of every trireme, how then could the pay of the crew be exactly two hundred fold the sum which the common sailor received? when his pay was a drachma, how could the pay of the former be a talent a month? when his pay was three oboli, the pay of the whole crew a half talent? Must not the commanders and the able-bodied

<sup>1</sup> Herodot. VIII. 17.

<sup>2</sup> VII. 184; comp. 96. Duker on Thuc. VIII. 29, unjustly censures Meibomius (de Fabrica Triremium), because he did not include in his account the thirty epibatæ mentioned separately.

<sup>3</sup> Page 119, A sqq.

<sup>4</sup> Lex. Seg. p. 298.

seamen have received more than the common rowers? To this I answer as follows: Once for all it was assumed, with respect to the pay of a ship, according to the contracts relating to the same, that the pay of a trireme was two hundred fold the pay of a common sailor. It is conceivable, however, indeed even probable, that the most inferior persons on board the ship received less than this, and those of the first importance more, so that the deduction from the average pay in reference to the former, supplied the addition to the same in reference to the latter. For it is expressly asserted by the Scholiast of Aristophanes,<sup>1</sup> that the thalamitæ received less pay, because they had the smallest oars, and, consequently, the lightest labor: that the thranitæ, on the contrary, on account of using the heavier oars, were subject to the greatest toil; and that they received, therefore, in the Sicilian expedition, as also some other persons on board the ships, probably the steersman, the proreus, and the like, special additions to their pay from the trierarchs. But that their regular pay was higher is not said either by Thucydides, or his expositor,<sup>2</sup> to whom appeal has been made. But also, if the pay was different according to rank, we could not ascertain its different amount for each class of seamen. But whatever may have been the fact in relation to this particular, it is established that the regular complement of a trireme was two hundred men. We can only treat of the inquiries how many of them were marines, and how many were employed in working the ship and in other duties relating to the same. Let us examine this matter more closely.

Triremes were of two kinds, either swift vessels (*ταχέϊαι*), or ships employed for transporting soldiers (*στρατιώτιδες, ὀπλιταγωγοί*). The latter were filled to excess with land troops, which were taken on board for the purpose of being conveyed by sea to their place of destination. They were, therefore, unwieldy, and fought only in case of emergency, and then more inefficiently than those of the other kind.<sup>3</sup> The former had on board barely the complement (*πλήρωμα*), which was necessary to work and defend the ship. The troops on board the transports, apart from their

<sup>1</sup> Acharn. 1106.

<sup>2</sup> VI. 31.

<sup>3</sup> Thuc. I. 116, gives an instance.



regular complements, were like all passengers by sea, called epibatæ. How many troops were conveyed on board a trireme some examples may inform us. The Thebans, for instance, sent three hundred men to Pegasæ in two triremes.<sup>1</sup> The Athenians sent to Sicily on one occasion 134 triremes, together with two Rhodian pentecontori. Of the triremes, one hundred were Athenian, namely, sixty swift triremes, and forty transports for conveying soldiers. After deducting seven hundred hoplitæ, who went with them as regular marines, there were shipped on board the forty transports for conveying soldiers, which belonged to the Athenians, perhaps also upon a number of foreign vessels, 4,400 hoplitæ, and thirteen hundred soldiers of other descriptions,<sup>2</sup> in the whole, without reckoning any servants who may have gone with them, 5,700 men; so that certainly far more than one hundred hoplitæ and soldiers of other descriptions were assigned to each ship. Frequently, however, a much smaller number of hoplitæ were conveyed on board the ships.<sup>3</sup> If it was found necessary to send many ships, and a small land-force, as a matter of course only a few hoplitæ were assigned to each trireme for conveyance. The hoplitæ seldom conveyed themselves, performing at the same time the services of rowers (*ἠντιμεύειν*).<sup>4</sup> But the complements of the swift triremes consisted of two descriptions of men: the soldiers intended for the defence of the

<sup>1</sup> Xenoph. Hellen. V. 4, 56. They were three hundred citizens, who were upon the triremes as epibatæ, and not rowers.

<sup>2</sup> Thuc. VI. 43. That an exact computation is not possible appears from the passage itself.

<sup>3</sup> For example, two thousand hoplitæ in forty ships (Thuc. I. 61); four thousand hoplitæ in one hundred ships (Thuc. II. 56); two thousand hoplitæ in sixty ships (Thuc. III. 91); one thousand hoplitæ in thirty ships (Thuc. I. 57); two thousand hoplitæ in seventy-five ships (Thuc. I. 29); two thousand hoplitæ in eighty ships (Thuc. IV. 42); from fifty hoplitæ down to twenty-five in each ship. In an inscription in Rangabé's work, No. 265, 266, of a date prior to the archonship of Euclid, the subject is thirty triremes. Although the inscription is much mutilated, yet it seems that it may be restored from line 14 sqq. about as follows:—

. . . . [πλευσάντω]ν δὲ ἐν ταύταις ταῖς[ς] ναυσὶν Ἀθη-  
[ναίων ἐν ἐκάστη] τῇ νηὶ πέντε μὲν [ἐ]ξ ἐθελοντῶ-  
[ν —, ἐκ — δ]ὲ ὀπλῖται τεττ[αρά]κοντα ἐν ἐκά-  
[στη τῇ νηὶ κατὰ] φυλᾷ, τοξ[όται δέ]κα πελταστα-  
[ι — — — Ἀθη]ναίων καὶ τῶν [ξυ]μμάχων, etc.

There can be no doubt that, for the most part, land troops are here meant.

<sup>4</sup> Thuc. III. 18; comp. VI. 91.

vessels, who were also called epibatæ, but indeed in a more limited sense than ordinary, and the sailors. These epibatæ were evidently distinct from the land soldiers, whether hoplitæ, peltastæ, or cavalry,<sup>1</sup> and belonged to the ship. But if it was desired to increase the usual number, land soldiers could be added, as in the case of the thirty put on board of each trireme of Xerxes's fleet. The sailors, by which term I include the whole ship's company with the exception of the soldiers, were called sometimes servants (*ἐπιρῥῆται*), sometimes shipmen or seamen (*ναῦται*). In a narrower sense, however, the rowers (*ἐρέται, κοπιλάται*) were distinct from the servants and seamen, and these latter comprise only those persons who were employed at the rudder and pumps, and about the sails and tackling, and the like. Finally, the rowers were of three kinds, thranitæ, zygitæ, and thalamitæ.

If, now, the regular complement of the swift triremes was two hundred men, how were they divided? Meibomius reckons 180 rowers in three rows, arranged on each side of the trireme; so that, according to his opinion, there were thirty on each side in each row. This supposition appeared to me, when the first edition of this work was published, to be too high, particularly because the other services appertaining to the ships required still a large number of men. Think only of the steersman, the proreus, the celeustes, the trieraules; the nauphylox, the toicharchi, the diopus, the eschareus: and how many others beside these were certainly needed! Moreover, Meibomius's conception of the subject is derived from the pentereis, which, according to Polybius, had three hundred rowers and 120 combatants, the former in five rows of sixty men each, thirty on each side. But his reason for crowding into the length of a trireme, which he estimates at 105 feet, as many rowers as were in the larger pentereis, which were 150 feet in length, is arbitrary. It appeared to me, therefore, that the rowers could not have amounted to more than 130 to 140 men, if at the same time we would leave a sufficient number for the other services appertaining to the ship, and for the epibatæ. In the pentereis, the rowers were to the mariners in the ratio of five to two. In a penteconterus there were, according to Herodotus,<sup>2</sup> beside the fifty

<sup>1</sup> Xenoph. Hellen. I. 2, 4.

<sup>2</sup> VII. 184.

rowers, thirty other persons who were, doubtless, chiefly combatants, because the men employed in performing the other services appertaining to the ship must have been less in number than in the larger vessels. Probably there were not more than about ten of them, so that the ratio of the rowers to the combatants would be again five to two. If we reckoned, therefore, for a trireme, beside twenty other seamen, 130 to 140 rowers, and forty to fifty epibatæ, there appeared to be assumed proportionally a large number of rowers.

Nevertheless, these doubts with respect to the assertion of Meibomius have not been confirmed, in essential particulars, by the inscriptions respecting the marine recently discovered. By these, namely, it is established, that there were in the trireme sixty-two thranitæ, fifty-eight or fifty-four zygiteæ, and fifty-four thalamitæ, together 170 to 174 rowers in the three rows. Beside these, provision was made for thirty persons, seamen and epibatæ, who did not belong to the regular body of rowers (*περίετοι*), that they also might be employed in rowing upon extraordinary emergencies:<sup>1</sup> and thus the whole complement of the trireme was completed. The other services appertaining to the ship beside the rowing might have been performed, for the most part, by the rowers, for they were not all continually employed in rowing. And if the number of the marines was less than thirty, yet even after deducting the number of soldiers and seamen required for steering the vessel, and for commanding and superintending the ship and the crew,<sup>2</sup> there would still be some persons remaining, even for the performance of those services.

And in fact the number of combatants assigned to a ship was diminished proportionally in the same degree in which the art of fighting at sea was improved. In the great naval battle near

<sup>1</sup> See my work on the "Seurkunden," p. 117 sqq. I have there assumed that there were fifty-four zygiteæ. But Ussing, *Inscr. Gr. inedd.* p. 66, assumes from the passage which I have examined in the above-mentioned work, p. 118, that there were fifty-eight, and perhaps he is right.

<sup>2</sup> Whether these commanders were included in the number two hundred I have expressed my doubts in my work on the "Seewesen" (the Marine), p. 123. Different judgments may be formed with respect to this point. At all events, it must be allowed that two hundred is only a round number, such as is assumed in making a rough calculation.

Syбота between the Corinthians and the Corcyræans, the greatest which had until that time been fought between Greeks, just before the commencement of the Peloponnesian war, many hoplitæ, archers, and soldiers, armed with javelins, fought from the deck. But Thucydides remarks respecting it, that this was still continuing the ancient method of fighting at sea without the use of art and skill, after the manner of a battle by land. They fought with courage and strength, not with art and skill (τέχνη ἐπιστήμη): manœuvring was not understood.<sup>1</sup> When the Chians, having revolted from the Persians, equipped one hundred ships, they assigned forty substantial citizens as epibatæ to each trireme.<sup>2</sup> Here we have, as in the case of Xerxes's fleet, another example of a large number of marines on board of ships of war. But the number of marines in the Athenian triremes as early as the battle of Salamis was remarkably small. For, according to Plutarch,<sup>3</sup> only eighteen men fought on that occasion from the deck of each trireme. Among these there were four archers, the rest were heavy armed. The Athenians had, therefore, long before the Peloponnesian war, diminished the number of marines in their ships; and confiding in skill and art they appear to have employed at a later period a still less number of epibatæ. Concurrent accounts lead to the conclusion, that in the Peloponnesian war only ten heavy-armed epibatæ used to be put on board of a trireme.<sup>4</sup> The seven hundred thetic hoplitæ, who are particularly mentioned by Thucydides,<sup>5</sup> among the troops which were shipped to Sicily, as the epibatæ belonging to the complements of the ships, seem to have been the marines of the sixty swift-sailing triremes, to which he refers in the same passage. In this case only eleven or twelve were assigned to a trireme.

In the battles the rowers fought by manœuvring the vessel, and by striking with the oars; the epibatæ with arrows and javelins at a distance, with spears and swords when close at hand.<sup>6</sup>

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<sup>1</sup> Thuc. I. 49.

<sup>2</sup> Herodot. VI. 15.

<sup>3</sup> Themistocl. 14.

<sup>4</sup> Three hundred in thirty ships (Thuc. III. 95, comp. with III. 91, 94); four hundred in forty ships (Thuc. II. 102, comp. with II. 80 and 92; likewise Thuc. IV. 101, comp. with IV. 76).

<sup>5</sup> VI. 43.

<sup>6</sup> Comp. for example, Thuc. I. 49; Diodor. XIII. 46.



But it must not be supposed that the rowers were entirely useless for battle. Isocrates,<sup>1</sup> to be sure, where he complains that foreigners at the time of which he was speaking, served as combatants, citizens as rowers, remarks, that in descents upon the land the former performed the service of hoplitæ, the latter landed with the oar-pads in their hands. But the rowers, in order that they might serve on land, were sometimes armed with such arms as occasion offered, as with light shields for instance, and they could then be employed as light-armed troops, peltastæ, or archers. Thus, for example, Demosthenes the general employed the thranitæ, and zygitæ on land, and left only the thalamitæ on board the ships;<sup>2</sup> and Thrasyllus converted five thousand seamen on board of his fifty triremes into peltastæ.<sup>3</sup> Moreover, the ancients did not consider it necessary that their troops should be completely and regularly armed and equipped. Even the hoplitæ, whether on land or at sea, were not armed with entire uniformity. If this were not the case, how could the story have originated which Herodotus relates respecting an hoplite in the battle of Platæa, who brought an anchor with him, in order to fasten himself to the ground?<sup>4</sup> Or how could an epibates have made use of a hedge-bill (*δορυδρέπαιον*) instead of a spear, as Plato<sup>5</sup> informs us?

The pay and subsistence-money of the land and naval forces were generally paid at the same time. If there was any arrearage, it used to be of the pay, but the subsistence-money, as being absolutely necessary, was furnished first. When Timotheus was conducting the expedition against Corcyra, the mercenaries had received subsistence-money for three months in advance, but no pay as yet, so that there would have been reason to fear, that they would go over to the enemy, if he had not, by making them a present of the subsistence-money, which they had received in advance, caused them to conceive a high opinion of his resources.<sup>6</sup> Demosthenes gives another instance,<sup>7</sup> in

<sup>1</sup> *Συμμαχ.* 16.

<sup>2</sup> *Thuc.* IV. 9, 32.

<sup>3</sup> *Xenoph. Hellen.* I, 2, 1; *comp.* I, 1, 24.

<sup>4</sup> *Herodot.* IX. 74.

<sup>5</sup> *Laches*, p. 183, D.

<sup>6</sup> *Aristot. Œcon.* II. 23.

<sup>7</sup> *Ag. Polycl.* p. 1209, 12.

which the trierarch, during the entire term of his trierarchy, had received only the subsistence-money in full for his crew, but pay for only two months.

This is further exemplified by the proposition of the same statesman in the first Philippic, which was, however, not carried into execution. He wished the state to have a standing force, which should carry on hostilities against the Macedonian without intermission; ten ships which would require an annual expense of forty talents; two thousand infantry requiring the same expenditure; and two hundred cavalry requiring an annual expenditure of twelve talents. But he proposed that this money should be paid to them only as subsistence-money. He would not have them receive any pay, but instead of it they were to have unlimited permission to plunder the enemy's country. This is a remarkable conception, unparalleled in any Greek author, comprising the plan of a corps of volunteers, who should pay themselves, and at the same time of a standing army, but only, to be sure, during the continuance of war. A standing army in time of peace would not only have ruined the finances, if it had been paid, but would also, if it had consisted of citizens, have introduced a military government; as, for example, the thousand at Argos, who were required to devote themselves exclusively to military exercises, and were paid for that object, forcibly possessed themselves of the supreme authority, and changed the democracy into an oligarchy.<sup>1</sup> The Greeks were well aware that a standing army acquired greater skill in the art of war, but they could not introduce it on account of their political constitutions. For they could neither carry into execution the Platonic ideal of the state, in which the standing army, formed upon philosophical and moral principles, was to be at the head of the government; nor return to the oriental system of castes so generally diffused among the most ancient nations, in accordance with which even Attica in the more ancient periods of the state had a caste of warriors; nor finally could they endure the oppression of a military government. The views of the Romans with respect to a standing army did not differ from those of the Greeks. Even after they became subject to a barbarous military despotism, it nevertheless seemed to them indecorous, that an armed force

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<sup>1</sup> Diodor. XII. 75, 80; Thuc. V. 81; Pausan. II. 20; Aristot. Polit. V. 4.

should be stationed in the metropolis, as if to domineer over the people. And in order to maintain the decorum, to a regard for which all the ancient forms, and the senate itself owed their continuance, the imperial guard in Rome wore the civil toga; their helmets and shields were kept in the arsenal.<sup>1</sup>

Moreover, it seems strange, according to our views, that the soldiers received money first for *subsistence*, and were, according to the plan of Demosthenes, even to have received no pay at all, since it seems more natural that pay should have been given to them, and that the subsistence should have been obtained by means of requisition and quartering. But the former method would have been too tedious, and in an enemy's country too difficult, if it were to be regularly practised; the latter occurred but seldom among the Greeks. It was both unnecessary, since war was generally carried on in the pleasant seasons of the year, and living in camps was, in so mild a climate, both healthy and agreeable; and it was also inadmissible upon the principles of the military art, in a hostile, and upon political principles, in a friendly country. The ancients, as citizens of free states, could no more than England have submitted to a regulation from which the most manifold oppression and injustice are inseparable, and which endangers freedom itself. From the greater dissoluteness of morals which prevailed, especially with respect to the sensual love for women and boys, from their passionate temperament, from the want of discipline in their armies, and from the high claims to consideration and attention made by the soldiers, murders, insurrections, and revolutions would have been the necessary consequences of this regulation. Permission was always first to be asked of friendly states, when it was desired to introduce an army on the march, or the crews of a naval force into one of their cities, whether they might even be admitted. Permission was frequently refused; if it were allowed, every thing wanted for their use was paid for in ready money. When Athens sent an auxiliary force to aid the Thebans, the latter received them in so friendly a manner, that when the hoplitæ and cavalry had encamped without the city, the Thebans took them into their houses. But how does Demosthenes boast that, throughout the whole proceeding, harmony was maintained!

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<sup>1</sup> See Lipsius on Tac. Hist. I. 38.

"The conduct of the Thebans on that day," he says,<sup>1</sup> "pronounced the three finest eulogiuns upon you to the Greeks, the first, of your courage, the second, of your justice, the third, of your temperance. Putting into your power what is by them and by all men the most carefully guarded, their wives and children, they showed that they had full confidence in your continence. And in that respect they judged rightly. For, after the army had entered the city, no one made any complaint against you, not even unjustly." The Persians, to be sure, proceeded in an entirely different manner. In their march to Greece they encamped, it is true, in the open fields, but were furnished with food by the inhabitants of the countries through which they passed. The reception and subsistence of the army of Xerxes cost the Thasians alone for their towns situated upon the continent, four hundred talents. This sum was paid by the commonwealth, so that individuals did not directly bear the burden. With justice, therefore, was it said by that Abderite, that the whole city would have been ruined, if Xerxes had wished to take his breakfast with them, as well as his dinner.<sup>2</sup> So Dattames, the Persian, maintained his troops from the enemy's country.<sup>3</sup> The Romans very much annoyed the countries through which their armies passed, or which were the seat of war, particularly by means of the winter-quarters established among them. The prætors were not ashamed, after receiving money from one or another city, for exemption from furnishing winter-quarters, to burden some other place in their stead. These bribes were the so-called vectigal prætorium, from which originated in later periods the epidemeticum.<sup>4</sup>

Whether the subsistence was furnished in kind or in money, it was a necessary duty of the general to provide for the supply of provisions, especially for voyages, in which daily purchases could not be made. Generally, a large market was established where armies were stationed or expected. From it the soldiers supplied themselves with the necessary provisions, and their

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<sup>1</sup> Concern. the Crown, p. 299, near the bottom.

<sup>2</sup> Herodot. VII. 118 *sqq.*

<sup>3</sup> Aristot. *Œconom.* II. 24.

<sup>4</sup> Burmann de Vect. Pop. Rom. XII. A similar shameful practice is mentioned by Tacitus, *Hist.* I. 66.



servants and beasts of burden conveyed the same after them upon the march. Suttlers and mechanics followed for their own profit. The Persian Datames even had sutlers and mechanics of his own in his service, that he might receive a share of their profits, and allowed no other person to compete with them in their business.<sup>1</sup> The providing for the subsistence of large armies had to be conducted upon a large scale. The Greek army at Plataea was followed by great convoys of provisions from Peloponnesus, the care of which belonged to the servants.<sup>2</sup> So, also, large fleets of ships of burden attended the Persian army. The provident Nicias declared it to be an indispensable requisite to the undertaking of the Sicilian expedition, that wheat and parched barley should be sent from Attica to Sicily, and that bakers, taken by force from the mills, and compelled to serve for hire, should accompany it.<sup>3</sup> The provision fleet rendezvoused at Coreyra, consisting of thirty ships conveying grain, having on board the bakers and other workmen, as, for instance, the stone-masons and the carpenters, together with the implements requisite for the construction of works in the siege of towns, of one hundred smaller vessels, which were compelled to follow the ships of burden, and of many others, both larger and smaller, which accompanied the expedition for the purpose of traffic.<sup>4</sup> But undoubtedly, even when such arrangements had been made, the soldiers purchased their supplies either from the state or from individuals. The state charged itself with the care of procuring them only, and not with that of delivering them gratuitously, unless perhaps no siteresion had been paid. When Timotheus was besieging Samos, provisions had become scarce, because so many foreigners congregated on the occasion. He forbid, therefore, that flour or meal should be sold, and did not in general allow the selling of grain in a less quantity than a

<sup>1</sup> Aristot. *Œconom.* ut sup.

<sup>2</sup> Herod. IX. 39. Comp. 50.

<sup>3</sup> Thuc. VI. 22. In this passage the phrase *ἡναγκασμένοι ἐμισθοῖ* is applied to the bakers, because wages, it is true, were paid them, but they were taken by force, and compelled to serve. The good man to whom this expression presented difficulties, was not aware how many persons are compelled by force to serve for hire. *Πρὸς μέρος* Duker correctly explains as meaning *pro rata portione*. But it has no reference to proportion to the grain, but to the particular, that a proportional number should be taken from each mill, *ἐκ τῶν μυλῶνων πρὸς μέρος*.

<sup>4</sup> Thuc. VI. 30, 44.

medimnus, or of liquids in a less quantity than a metretes. By these measures the foreigners were compelled to bring their provisions with them, and when they had any remaining after supplying their own wants, they sold them. But the taxiarchi and lochagi made wholesale purchases, and supplied the soldiers,<sup>1</sup> of course, for ready payment, or on account. In the same manner we must conceive of the matter in the Sicilian expedition, and in similar cases. If the subsistence was to be furnished in kind, which may have been more common in respect to the naval than to the military forces, the commanders received the sitiresion, and purchased provisions with the money. The trierarchs gave to those who were subject to their authority prepared barley (*ἀλγῖτα*), cheese, and onions,<sup>2</sup> or garlic. The onions and garlic were carried with them in bags made of netting.<sup>3</sup> The maza was baked<sup>4</sup> for them from the prepared barley, mixed with water and oil,<sup>5</sup> and if it was desired to animate the rowers with especial zeal, wine was mingled with the other ingredients.<sup>6</sup> Probably a chœnix of prepared barley was daily given to each man. A comic author, to be sure, says of a man who pretended that he had eaten in one day two and a half medimni, that he consumed the provision of a long trireme,<sup>7</sup> although his meals amounted to only 120 chœnices a day. But who will require of a jester the accuracy of a commissary of supplies? Ptolemy gave the Rhodians for distribution among the crews of ten triremes, twenty thousand artabæ of grain,<sup>8</sup> probably wheat; ten artabæ a year, therefore, if we reckon two hundred men to a trireme, for each man. These were equivalent, if the large artabæ were meant, which appear to have been in common use during the dynasty of the Ptolemies,<sup>9</sup> to 360 Attic chœnices; to the ordinary allowance, therefore, of a chœnix a day.

<sup>1</sup> Aristot. Œconom. II. 23; Polyæn. III. 10, 10.

<sup>2</sup> Plutarch, concern. the Glory of the Athen. 6.

<sup>3</sup> Thence the saying *σκορόδον ἐν δικτύοις*; see Suid. on the word *σκορόδια*.

<sup>4</sup> Schol. Aristoph. Frogs, 1105.

<sup>5</sup> Hesych. and Zonaras on the word *μάζα*.

<sup>6</sup> Thuc. III. 49. Comp. Scheffer, Mil. Nav. IV. 1. This *μάζα* is the *οἶνοῦττα* in Athen. III. p. 114, F.

<sup>7</sup> Athen. X. p. 415, C.

<sup>8</sup> Polyb. V. 89.

<sup>9</sup> See Book I. 15, of the present work.

To compute the amount of the pay and subsistence-money for a year, in time of war, is possible only when, beside the number of men in the army and the rate of the pay, the length of the campaign is known. As soon as the latter was ended the payments ceased. Even mercenaries did not always receive their pay regularly, but there were occasional intermissions in its receipt.<sup>1</sup> In the earlier periods, war was carried on with the Lacedæmonians for four to five months. But Philip made no difference between summer and winter.<sup>2</sup> Yet as early as in the Peloponnesian war armies had to be paid in winter, as in Sicily, and elsewhere: and Pericles used regularly to keep sixty ships eight months at sea, and to pay them for that period.<sup>3</sup> These alone, if each man received a drachma a day, required an annual expenditure of 480 talents. But how could Athens raise the pay and subsistence-money for more than sixty thousand men in the Sicilian war, since the expenditure must have been more than 3,600 talents in a year, that is, more than 5,400,000 thlr., or \$3,693,600, which, according to the prices at that period, may be estimated as equivalent to more than 16,200,000 thlr., or \$11,080,800? It cannot excite surprise, therefore, that notwithstanding the high tributes and the oppression of the allies, although those of the allied states which were independent themselves perhaps paid their own troops, there was soon a scarcity of money; nor can we be surprised that Pericles, since he in the beginning of the war maintained a force of equal magnitude, but not throughout the whole year, was compelled to lay his hands upon the public treasury.

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<sup>1</sup> An instance of this in Thuc. VIII. 45.

<sup>2</sup> Demosth. Philipp. III. p. 123.

<sup>3</sup> Plutarch, Pericl. 11.

## CHAPTER XXIII.

BUILDING AND EQUIPMENT OF THE FLEETS. THE PREPARATION  
OF MISSIVE ENGINES. SIEGES.

FINALLY, the expenses of war were considerably increased by the building and equipment of fleets, the procuring and preparation of implements and missive engines, and by the erection of the works necessary for sieges.

Beside the ships built in time of peace, it was usual to build an extraordinary number so soon as a war of consequence was apprehended. And, moreover, if it was demanded at any time that ships should set sail completely equipped, there was always much labor and material required to render them entirely ready for sea, a part of which the state was obliged directly to provide, and a part the trierarch was obliged to furnish for it. Beside the swift triremes, there were also to be provided many transports (*ὀλκιάδες*), tenders (*ὑπηρετικὰ πλοῖα*), and ships for conveying the cavalry (*ἵππαγωγὰ πλοῖα*). These last, although the Greeks as early as the time of the Trojan expedition, had taken horses with them to Troy, and the Persians had used many such ships in the war against Greece, were yet first prepared at Athens in the second year of the Peloponnesian war, and were afterwards frequently employed.<sup>1</sup> There was seldom in readiness a fleet completely equipped and prepared for battle, as, for example, the fleet provided in accordance with a decree of the people Olymp. 87, 2 (B. C. 431). By this decree it was directed that the hundred best triremes should be annually selected, and trierarchs were immediately assigned to them, in order that in case of an invasion by sea, Attica might be defended. With this was connected the laying by of one thousand talents for the same

<sup>1</sup> Thuc. II. 56; IV. 42; VI. 43; and elsewhere, Demosth. Philipp. I. p. 46, 5; Plutarch, Pericl. 35. Concerning the Persians, Diodor. XI. 3; Herodot. VII. 97.



object.<sup>1</sup> Similar measures were again adopted with respect to the ships in later periods.<sup>2</sup> For especial care was devoted to the defence of their own country (*γενναζὶ τῆς χώρας*). It was a regular subject of discussion in the assemblies of the people, and a decided precedence was yielded to the measures relating to it.<sup>3</sup> The works required in sieges were especially expensive, since much timber-work and masonry, and many mechanics and laborers, were needed for their erection. Machines for attack and defence were early used, not only in the Peloponnesian war, but even before it, as, for example, by Miltiades at the siege of Paros, and by Pericles at that of Samos. The Greek method of besieging, however, did not attain its highest degree of improvement until the time of Demetrius Poliorcetes, who perfected it by his inventions. That considerable disbursements were made for missive weapons is evident from many passages in ancient authors. With respect to Athens I will call to mind the two decrees of the people,<sup>4</sup> in which Demochares and Lyeurgus are mentioned with honor: the former, because he had procured arms, missive weapons, and machines; the latter, because he had also brought arms and fifty thousand missive weapons into the citadel. Some, though scanty, accounts respecting machines and missive weapons are furnished by the Attic inscriptions.<sup>5</sup>

<sup>1</sup> Thuc. II. 24; VIII. 15; Æsch. *περὶ παραπρεσβ.* p. 336; Andoc. *concern. Peace*, p. 92; Suid. on the word *ἄβυσσος*. I recognize this setting apart of this sum from the treasury in "Beilage" V. (A), line 6. It was laid by once for all, not, as has been misunderstood by some, annually.

<sup>2</sup> See the "Seurkunden," p. 80 sq.

<sup>3</sup> See the "Seurkunden," p. 467 sq. In this passage is to be read: "Xenophon (Memor. Socr. III. 6, 10)." Respecting the subject itself, and the expression in general, comp. also Harpoer. Phot. on the phrase *κυρία ἐκκλησία*, Plato Rep. III. p. 388 A, Menex. p. 238 B, Aristot. Rhet. I. 4, and particularly the Erythraean decree in Curtius Anecd. Delph. p. 85. This ends with the words: *ταῦτα δὲ εἶναι εἰς φυλακὴν τῆς πόλεως*, which are to be understood as I have explained the similar words in the "Seurkunden."

<sup>4</sup> Appended to the Lives of the Ten Orators, II. III. See also Book III. 19, of the present work.

<sup>5</sup> See the work on the "Seurkunden," p. 109 sqq. Catapultæ are even mentioned in the Attic Inscription contained in Ussing's *Inscr. Gr. inedd.* No. 57, of a date some centuries before Christ, *ὀξύβολοι, βέλῃ ξυστά, κριοί, πυρε[κ]βόλα* in the Ephem. Archaeol. No. 966. The *πυρεκβόλα* are particularly remarkable, since they are said to have flashed and made a report (*βροντῇ*) like our fireworks or rockets (Alex. Aphrod. Probl. I. 38). Furthermore, the *σώρακοι καταπαλτῶν* (Beil. XIV. 12, h), and *τοξευμάτων* (in one of the inscriptions given in Beil. XV. B) belonged to the missive apparatus.

## CHAPTER XXIV.

## ESTIMATE OF THE EXPENSES OF WAR, WITH EXAMPLES.

If the sum of all these expenses be computed, it may easily be conceived how immense must have been the total expenses of a war after Pericles had introduced the custom of paying the forces; while, on the contrary, in earlier periods the building of fleets, and the procuring of equipments and implements were the only particulars which occasioned expense to the state. The fine of fifty talents, to which Miltiades was condemned on account of his unsuccessful expedition with seventy ships against Paros, if that sum had not been a common amount of a fine imposed without any reference to indemnification, might, therefore, well have been, as Nepos<sup>1</sup> believed, an indemnification for the costs of that expedition. The siege of Samos in Olymp. 84, 4 (B. C. 441) appears, according to Diodorus, to have cost two hundred talents; for Pericles took a contribution to that amount as an indemnification for the expenses of the same.<sup>2</sup> But the Olympian Jupiter must, in this case, have reckoned very graciously. For a nine months' siege by sea and land, in which, according to the accounts of Thucydides, not less than 199 triremes, at least, in several detachments at different times, were, for a certain period, employed, evidently occasioned a greater expenditure than this, so that the account of Isocrates, and of Nepos,<sup>3</sup> that twelve hundred talents were expended upon it, appears to be not at all exaggerated.

But the expenses of the Peloponnesian war are the most extraordinary in the history of Athens. If we assume that only six months' pay was received by the crews of the ships in active service at the beginning of the war, the expense must have been

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<sup>1</sup> Miltiad. 7.

<sup>2</sup> Diodor. XII. 28. Comp. Thuc. I. 117.

<sup>3</sup> Thuc. I. 116, 117; Isoc. concern. the Exchange of Property, p. 69; Nepos, Timoth. 1

fifteen hundred talents; and in this computation the troops besieging Potidæa are not included. This siege was extremely expensive. It was continued summer and winter for two years. Thucydides estimates the expense at two thousand, Isocrates at 2,400 talents,<sup>1</sup> a part of which Pericles took from the public treasury.<sup>2</sup> It was necessary to impose a special war-tax of two hundred talents for the siege of Mytilene, and twelve ships were sent out to collect money from the allied states.<sup>3</sup> No enterprise, however, transcended the resources of the Athenian State in a higher degree than the Sicilian expedition. The annual pay of the forces alone amounted, as we have seen, to 3,600 talents; almost twice the amount of the annual revenues, even if we adopt the highest estimate of them; and how immense were the other expenditures! Hence there soon arose a distressing scarcity of money, and of the necessities of life. The contributions of the Egestæans were inconsiderable; sixty talents at the very commencement of the expedition, as a month's pay for the crews of sixty ships, and thirty talents in addition at a later date.<sup>4</sup> There was but little plunder to be obtained; although booty to the amount of one hundred talents was at one time acquired.<sup>5</sup> The remittances from Athens from Olymp. 91, 2 (B. C. 415) were rather small in amount; namely, Olymp. 91, 2, three hundred talents, beside a smaller sum paid for the equipment of the ships about to depart; Olymp. 91, 3 (B. C. 414), twenty talents by Eurymedon; at a later period, perhaps 120 talents.<sup>6</sup> Nothing but

<sup>1</sup> Thuc. II. 70. In this passage the reading *χίλια* is certainly false. Isoc. concern. the Exch. of Prop. p. 70, Orell. ed. Diodor. (XII. 46) estimates the expenses, some months before the surrender, at more than one thousand talents.

<sup>2</sup> Thuc. III. 17; II. 13. According to the latter passage 3,700 talents were taken out of the treasury for the Propylæa, and the other public buildings and works, and for the siege of Potidæa. Diodorus (XII. 40) with less accuracy states it to have been four thousand talents. Barthélemy estimates for the works of art and public buildings three thousand talents, and seven hundred talents for the commencement of the siege (Anarch. Vol. I. note 8). This assumption, however, is arbitrary. Potidæa, and the works of art may have cost more than five thousand talents. Those 3,700 talents were only an additional sum paid from the treasury, apart from the expense which was defrayed from the current revenues.

<sup>3</sup> Thuc. III. 19.

<sup>4</sup> Diodor. XIII. 6.

<sup>5</sup> The same.

<sup>6</sup> See Beilage II. D, c. 63. f. 65, with the note on line 63; also Thuc. VII. 16, respecting Eurymedon. Diodorus, XIII. 8, states, however, that this remittance was 140 talents; so that it may be assumed that 120 talents were afterwards brought by Demosthenes, who went to Sicily at a later period (Thuc. VII. 20),

a successful result could have enabled Athens to have defrayed the expense of the immense amount of pay, the introduction of which alone made it possible to enter upon such vast enterprises. If the pay of the forces had not been introduced by Pericles, Athens would not have carried on the Peloponnesian war so long; the youthful imagination of Alcibiades, and other orators of his temperament, could not have conceived and perfected the lofty, but visionary project—which indeed had been started at an earlier period—to attempt the establishment of a post in Sicily, from which Carthage and Lybia, Italy or Etruria, and finally, the Peloponnesus might be subjected.<sup>1</sup> The mass of the people, and the soldiers were for this very reason so inclined to this expedition, because they hoped for the moment to receive money, and to make conquests, from which pay might be given to them uninterruptedly.<sup>2</sup>

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<sup>1</sup> Thuc. VI. 15, 90; Isocr. *Συμμαχ.* 29; Plutarch, Alcib. 17; Pericles, 20. The intimation which appears to be given in Aristoph. Knights, (Olymp. 88, 4, B. C. 425) vs. 174 and 1299, of a project against Carthage, rests, in my opinion, upon a false reading. In vs. 174 the sense requires *Χαλχηδόνα*, or *Καλχηδόνα* (both forms are found in Attic registers of tributes). For according to the connection, next after the account of the islands, the whole circuit, as near as it could be readily ascertained, of the states allied to Attica was designated, which was to be viewed, one eye being directed from Athens, as the point of view, to Caria, and the other to Chalcedon. This was just all, as is said immediately afterwards, which the sausage-seller was for the future to have to sell. To have mentioned Carthage in this instance would not have been witty, but absurd. In the other passage the scholiast read, as his explanation shows, *Καλχηδόνα*, and the propriety of conceiving, from the passage, of a project of Hyperbolus to attack Carthage with one hundred triremes, is very doubtful. Even the most silly visionary could not propose to attack Carthage, before Sicily was subdued. But Sicily is not at all mentioned; and in the passage of Aristophanes there is not the least trace, that he alluded to a very hazardous undertaking. If he had referred to such an enterprise, he would have ridiculed it, or at least have designated it as dangerous, and the representations made in respect to it as exaggerated. But on the contrary the very ample passage is merely designed to express, that to so miserable a fellow as Hyperbolus not even a single trireme should be intrusted. Hyperbolus might have wished to undertake a great expedition to Chalcedon, in order to accomplish something in Pontus; perhaps against Heraclea. Soon afterwards in Olymp. 89, 1 (B. C. 424), Laches sailed to that country. (Thuc. IV. 75.) His fleet, however, consisted of only ten ships. The only conclusion to be derived from Plutarch in reference to this subject is, that even in the lifetime of Pericles visionary projects were formed with respect to Sicily, and further with respect to Carthage, and to the other above-mentioned countries. But nothing is found to indicate, that such projects were entertained by Hyperbolus. The words of Pericles in Thuc. I. 144 near the commencement may, however, have referred to such projects, as Krüger, Dionys. Historiogr. p. 272, conjectures. The production of my friend, v. Leutsch in the Rhein. Museum of Welcker and Näke, 2 Jahrg. (1834), p. 125 sqq. in favor of the reading *Καλχηδόνα* in Aristophanes, does not convince me.

<sup>2</sup> Thuc. VI. 24.



In the age of Demosthenes, also, the expenditures were heavy, and were defrayed chiefly from the property taxes. But with large sums of money little was accomplished. An unsuccessful expedition against Pylæ cost, together with the expenses of private individuals, more than two hundred talents.<sup>1</sup> Isocrates<sup>2</sup> complained after the termination of the Social War, of the loss of more than one thousand talents, which had been given to foreign mercenaries; Demosthenes<sup>3</sup> of the throwing away of more than fifteen hundred talents, which, as Æschines remarks, were expended not upon the soldiers, but upon the ostentatious splendor of their generals, while the cities of the allies, and their ships were lost. The state had become poor by the distribution of theoria, while individuals had enriched themselves. The treasury was so deficient, that it could not supply money enough even for a day's march of an army;<sup>4</sup> and if money was collected for the expenses of the war, the bad management of it surpassed all belief. We should be more astonished at it, if it were not a familiar occurrence in all ages. Commanders, or demagogues, who received pay for the troops, drew it for vacancies in the ranks, as formerly in modern times the principal officers for so-called blind men.<sup>5</sup> On this account persons were sent to investigate, whether there were in the armies as many soldiers receiving pay, as were reported by the generals. But these investigators allowed themselves to be bribed.<sup>6</sup> The trierarchs, even as early as the time of the comic author Aristophanes, are said to have embezzled the pay of a part of their crews, and to have closed up the unoccupied row-ports of their ships, that it might not be seen, that the number of their rowers was not complete.<sup>7</sup>

<sup>1</sup> Demosth. *περὶ παραπρεσβ.* p. 367, 21.

<sup>2</sup> Isocr. *Areopag.* 4.

<sup>3</sup> Demosth. *Olynth.* III. p. 36, 8 (and from it *περὶ συντάξ.* p. 174, 11); Æschin. *περὶ παραπρεσβ.* p. 249.

<sup>4</sup> Demosth. *ag.* Aristocr. p. 690.

<sup>5</sup> This is what is meant by *μισθοφορεῖν ἐν τῷ ξενικῷ κεναῖς χώραις*, Æschin. *ag.* Ctesiph. p. 536. Others cheated the soldiers, as Memnon of Rhodes, and the base Cleomenes. See Aristot. *Æcon.* II. 29, 39.

<sup>6</sup> These were the *ἐξετασταί*, Æsch. *ag.* Timarch. p. 131; *περὶ παραπρεσβ.* p. 339; *Etym. M.* p. 386, 10; *Lex. Seg.* p. 252. The passage in the speech *περὶ συντάξεως*, p. 167, 17, seems also to refer to the *exetastæ*; also in *C. I. Gr.* No. 106, I now understand the same, although I formerly was of a different opinion. In other places the appellation *ἐξετασταί* designates other officers.

<sup>7</sup> Schol. Aristoph. *Peace*, 1233.

The generals, such as Chares and others of the same character, distinguished for revelling and profligacy of every kind, squandered in the mean time the money of the state in luxury and excess. If even in a simple and energetic age, when intercourse with courtesans was still considered scandalous, Themistocles was not ashamed to ride through the Ceramicus in the morning in a carriage full of them,<sup>1</sup> it is conceivable that Alcibiades, whose private life, notwithstanding all his extraordinary intellectual abilities, manifested an extreme corruption of moral character, and a contempt for every thing sacred, could (at least as was reported by his enemies) carry about with him prostitutes in time of war, and for the gratification of his selfishness could embezzle two hundred talents;<sup>2</sup> that Chabrias, according to Theopompus, on account of his habits of revelling and debauchery, could not remain in Athens; that, according to the same author, Chares had with him in the field, female players on the flute and guitar, and even the commonest prostitutes, and appropriated the public money to uses the most foreign to the purposes of war. But the Athenians were no longer displeased with such practices, since they lived in the same way themselves, the young men in the company of female flute-players and of courtesans, the older men engaged in games at dice; since the people expended more money for public feasts and distribution of meat, than for the administration of the government, and caused themselves to be feasted in the market-place by the same Chares, at the triumphal festival for the battle gained over the mercenaries of Philip, by the employment for that purpose of sixty talents, which he had received from Delphi.<sup>3</sup> Theopompus is decried as censorious, because he truly described the corrupt spirit of a corrupt age. For most persons are inclined to look at every thing on its best side, especially from a distant point of view, where every passion is silent, and the benevolence which is implanted in the heart of man is not contradicted by his immediately present experience. But honor to the historian who knows how to distinguish the mere appearance from the reality, and like the judge of the infernal regions, causes

<sup>1</sup> Heraclides in Athen. XII. p. 533, D.

<sup>2</sup> Lysias, ag. Alcib. *Ἀλκιβιάδης*. I. p. 548.

<sup>3</sup> Theopomp. in Athen. XII. p. 532, B sqq.

the souls to stand before his tribunal naked, and stripped of all state and show.

Timotheus, the son of Conon, deserves an honorable mention, as a warrior like his father, and the one among all the Athenian generals who knew how to execute his undertakings with the least expense to the state, without burdening the allies, and without making by exactions himself and his country odious. I pass over his other merits; reference will be made to them in the sequel. But his skill in subsisting an army may not be left unnoticed. Timotheus generally received from the state at the commencement of his campaigns little or nothing, and there arose an extreme scarcity in the army. But he gained the victory in the wars in which he was engaged, notwithstanding, and paid the soldiers in full.<sup>1</sup> He subdued four and twenty states with less expense than had been occasioned by the siege of Melos in the Peloponnesian war.<sup>2</sup> The siege of Potidæa, which in the time of Pericles had cost such large sums, he carried on with money which he had himself procured, and with the contributions of the Thracian cities.<sup>3</sup> According to Nepos, he acquired in the war against Cotys a booty of 1,200 talents in money.<sup>4</sup> In the expedition against Olynthus he coined, since he had no silver money, counterfeit copper money, and persuaded the dealers to receive it, by promising them that they might pay for the goods in the country, and for the booty which they might purchase, with the same coin, and he pledged himself to redeem what should remain in their hands.<sup>5</sup> In the expedition round the Peloponnesus to Corcyra there was also great scarcity, for Timotheus had received only thirteen talents.<sup>6</sup> But he compelled each of the trierarchs to disburse seven minas as pay, for which he pledged his own property.<sup>7</sup> When he could pay no more money, he made the troops a present of the siteresion that had been paid in advance for three months, that he might induce them to believe that he expected large sums, which were detained only

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<sup>1</sup> Isocr. concern. the Exch. of Prop. p. 72, ed. Orell.

<sup>2</sup> Isocr. the same, p. 70.

<sup>3</sup> Isocr. the same, p. 70.

<sup>4</sup> Nep. Timoth. 1.

<sup>5</sup> Aristot. Œcon. II. 2, 23; Polyæn. III. 10, 1.

<sup>6</sup> Isocr. ut sup. p. 68.

<sup>7</sup> Demosth. Speech ag. Timoth. p. 1187, 1188.

by the unfavorable weather,<sup>1</sup> and in the mean time he sent to Athens for money with which to maintain his large fleet.<sup>2</sup> But he and Iphicrates defrayed their expenses also in this case, in part from the booty which they had taken.<sup>3</sup> Finally, Timotheus furnished pay entirely from the enemy's country to thirty triremes and eight thousand peltastæ, with which he besieged Samos eleven months; but Pericles, on the contrary, could capture Samos only by means of a heavy expenditure.<sup>4</sup>

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<sup>1</sup> Aristot. *Œcon.* ut sup.

<sup>2</sup> Xenoph. *Hellen.* V. 4, 66.

<sup>3</sup> Diodor. XV. 47. Comp. XVI. 57. Xenoph. *Hellen.* VI. 2, 23, relates, it is true, the fact which Diodorus ascribes to both, only of Iphicrates; and, doubtless, the account of the former is the more correct. But in general the same can certainly be asserted of Timotheus, that he also at that time had recourse to plunder.

<sup>4</sup> Isocr. ut sup. p. 69; Aristot. *Œcon.* as above cited; Polyæn. I. 10, 5, 9.



B O O K I I I.

OF THE ORDINARY REVENUES OF THE ATHENIAN  
STATE.



## BOOK III.

### OF THE ORDINARY REVENUES OF THE ATHENIAN STATE.

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#### CHAPTER I.

##### THE DIFFERENT KINDS OF PUBLIC REVENUE RAISED IN THE GREEK REPUBLICS.

THE revenues of the Athenian State were, like its disbursements, in part regular, for the purpose of defraying the current expenses in time of peace, in part extraordinary, for the purpose of making preparation for war, and of carrying it on.

At the commencement of our investigation<sup>1</sup> the question first presses itself upon our notice, what kinds of revenues and of taxes were considered by the Greeks to be the best and the most easily endured. Of all taxes none are more opposed, not only in general, but also according to the principles of the ancients,

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<sup>1</sup> There was almost an entire failure of assistance from previous works in this investigation, with the exception of what had been written by others on the liturgie, and of what Manso had adduced in reference to the age in which the Peloponnesian war occurred. Some of the errors of his treatise I have mentioned, others I have passed over in silence. As a remarkable production I cite : *De l'Économie des anciens Gouvernemens comparée à celle des Gouvernemens modernes*, par Mr. Prevost, Mémoire lu dans l'Assemblée publique de l'Académie royale des Sciences et Belles-lettres de Prusse du 5. Juin, 1783, Berlin, 1783, 8. The author, estimable in other departments, enters, from want of knowledge of the subject of his treatise, with great shallowness into bare generalities, and loses himself in idle reflections without value or foundation. I do not remember to have read in this treatise any thing material, unless it be the truly anti-Xenophontean, but very patriotic proposal to change a number of Sundays into working days, in order to promote the prosperity of the laboring classes !

to the sentiment of freedom, than personal taxes. At Athens it was an acknowledged principle that taxes were to be paid, not upon the person, but upon property:<sup>1</sup> but even the property of the citizens was taxed only in a case of emergency, or under an honorable form. In Athens, and certainly in all the other Greek republics, no direct tax was raised from property, except perhaps from slaves, and the extraordinary war taxes, together with the *liturgiæ*, which latter were esteemed as services conferring honor. There was no regular land-tax, or tenth (*δεκάτη*) in republics,<sup>2</sup> and, with the exception of the sacred property and of that which belonged to the state, it can be shown only in the most ancient history of Attica, that land was subject to a ground-rent, not to the commonwealth, but to the nobility as the proprietors. A house-tax was as little known, although it has been supposed, through the misunderstanding of a passage of an ancient author, that such a tax existed.<sup>3</sup> The most approved and the best revenues must have been those from public lands or domains. Beside these revenues, there were indirect taxes which affected all persons, and direct taxes which were imposed upon aliens; and also the fees received in the administration of justice in the courts, and the fines. But Athens devised for itself still another and peculiar source of regular income, namely, the tributes of the confederate states and cities, which were at first one of the principal means of sustaining her

<sup>1</sup> Demosth. ag. Androt. p. 609, 23.

<sup>2</sup> Plato, Laws XII. p. 955, D, proposes, to be sure, to supply the wants of the state by means of *εἰσφοραὶ*, since he prohibits the levying of tolls and customs (VIII. p. 847, B, 850, B). For this purpose he proposes to introduce registers both of the property, and of the annual produce of the estate of each individual.

<sup>3</sup> See Chap. 3, below. I will briefly refer to a single passage, from which one might be inclined to infer the existence of a land-tax in the later periods of the Athenian State. In the inscription C. I. Gr. No. 101, according to which, by a decree of the district Piræus, certain honors and privileges were bestowed upon Callidamas of Chollidæ, are the following words: *τελεῖν δὲ αὐτὸν τὰ αὐτὰ τέλη ἐν τῷ δήμῳ, ἅπερ ἂν καὶ Πειραιεῖς, καὶ μὴ ἐκλίσθην παρ' αὐτῶν τὸν δήμαρχον τὸ ἐγκτητικόν*. From these words it is evident, that he who possessed landed property in a district in which he was not born or registered, was obliged to pay a fee for the *ἐγκτησις*. But this was a fee to the district, not to the state, and was required for the very reason, that the proprietor was not a member of that particular community. As regards the *τέλη* they refer, in this passage, only to the taxes imposed by the district, since it could pass a decree with respect to no other taxes. A house and land-tax was imposed only in states, which were under despotic rule. More respecting the word *τέλος* will be presented in the fourth Book.



power, but subsequently became a concurrent cause of her destruction.

All the ordinary Athenian revenues, therefore, may be referred to the following four classes: 1. *Rents and duties* (τέλι), partly those raised from the public domains, including the mines, partly customs and excise duties, and some taxes on trades and persons, levied upon aliens and on slaves. 2. *Fines* (τιμύματα), together with fees received in the administration of justice, and the proceeds of confiscated property (δημιόπρατα). 3. *Tributes* of the confederate or subject states and cities (φοροί). 4. *The ordinary public services* (λειτουργίαι ἐγκύκλιοι). In these four are comprehended nearly all the kinds of revenue which Aristophanes<sup>1</sup> ascribes to the Athenian State, when he specifies rents and duties (τέλι), the other hundredths (τὴς ἄλλας ἑκατοστάς), tributes, prytaneia, (in which, with poetic inaccuracy, he includes the fines), taxes and duties from markets, duties and charges from harbors, and the proceeds from confiscated property. He mentions only one other kind, concerning which no definite information can be given.

The other Greek states also had, with the exception of the tributes, the same kinds of revenue. Even the liturgiæ, which are sometimes considered as peculiar to the Athenians, and the extraordinary property taxes, were common to all democracies at least, and even to certain aristocracies or oligarchies. Aristotle<sup>2</sup> mentions it as a very general occurrence, that under a democratic form of government the more wealthy class is oppressed, either by distributing their property among the people, or by consuming their incomes through liturgiæ. That the cities founded by Athenian colonists, as Potidæa, for example, levied property taxes, that we find liturgiæ instituted at Byzantium, the population of which in part was Athenian,<sup>3</sup> property taxes

<sup>1</sup> Wasps, 657 seq. In this passage there is a difficulty with respect to μισθοὺς. Perhaps we are to understand thereby the pay which Athens, beside the tributes, required for its soldiers from foreign states, as, for example, in the Sicilian war from the Egæstæans. The rents of lands may also have been meant, since μισθοὶ for μισθώσεις is not incorrect Greek. It cannot be conceived that the μισθοὶ τριηραρχίας are meant, (Xenoph. Œcon. 2, 6), since Aristophanes, in accordance with his object, could not have mentioned these any more than the εἰσφορὰ.

<sup>2</sup> Polit. V. 4, 3. Schn. (V. 5).

<sup>3</sup> Decree of doubtful authority in Demosth. concern. the Crown, p. 265, 10.

levied, the choregia and other public services instituted in Siphnos,<sup>1</sup> and the choregia in Ceos,<sup>2</sup> can by no means surprise us. But Ægina also had instituted the choregia even before the Persian wars,<sup>3</sup> and Mitylene during the period of the Peloponnesian war,<sup>4</sup> Thebes in the time of Pelopidas and Epaminondas,<sup>5</sup> Orchomenus also at an early date.<sup>6</sup> In Rhodes the rich performed the duties of the trierarchia, as at Athens, and were in part compensated for their expenditures by the poorer class. The latter, as in Athens, when the property tax was advanced by the rich (*προεισφορά*),<sup>7</sup> became thereby the debtors of the former. Finally, we find the institution of the *liturgiæ* widely diffused among the Greek cities of Asia Minor.

What I have here said of the kinds of revenue raised in the Greek republics, the introduction to the work on Political Economy, ascribed to Aristotle, confirms.<sup>8</sup> The author divides Economy into four kinds; the royal, that of satraps, the political, and the private Economy. The first he calls the greatest and the most simple, the third the most multifarious and the easiest, the last the most multifarious, and the least with respect to its objects. He divides the royal Economy into four parts; coinage, exportation, importation, and expenditure. With respect to the coins, he continues, its business is to consider what kind of money should be coined, and when the value of the currency is to be enhanced or diminished; with respect to exports and imports, to determine what articles it is profitable to receive from the satraps, as a tax in kind, and as their supply to the king,<sup>9</sup> and when it is profitable to receive them, and which

<sup>1</sup> Isocr. *Æginet.* 17.

<sup>2</sup> C. I. Gr. No. 2363, together with the notes.

<sup>3</sup> Herod. V. 83.

<sup>4</sup> Antiphon concern. the murder of Herod. p. 744. In respect to this passage, see Book IV. 5.

<sup>5</sup> Plutarch, *Aristid.* 1.

<sup>6</sup> C. I. Gr. Nos. 1579, 1580.

<sup>7</sup> Aristot. *Polit.* V. 4, Schm.

<sup>8</sup> The author of the *Rhetoric*, addressed to Alexander, also treats of finances (*περί πόνων*). His treatment of the subject, however, is too partial and confined to be taken into consideration. Still less can I pay any regard to the spurious repetition, p. 1446, b.

<sup>9</sup> *Ταγή* signifies the tax appointed to be paid to the king. Hesych. *ταγή*: βασιλική δαρεία, καὶ ἡ σύνταξις (not perhaps σύνταξις), τῶν πρὸς τὸ ξὺν ἀναγκαίων. I pass over

of these articles it is profitable to exchange for others, and when; with respect to expenses, to decide what part of the same is to be relinquished, and when; and whether the king should pay in money or in kind. The œconomy of satraps comprises six kinds of revenue, namely, that from land, from the peculiar products of the same, from the emporiums,<sup>1</sup> from the tolls and duties (*ἀπὸ τελῶν*), from cattle, from the remaining articles. The first and best is the land-tax, or tenths (*ἐκχορίον*,<sup>2</sup> *δεκάτη*); the second, that from the peculiar products of the land, as for example, gold, silver, copper, and the like; the third relates to duties from harbors and other emporial charges; the fourth comprises the duties, etc., received from markets, and in other places upon land (*ἀπὸ τῶν κατὰ γῆν τε καὶ ἀγοραίων τελῶν*); the fifth, the tax upon live-stock, or tenth paid upon cattle (*ἐπικαρπία*, *δεκάτη*). By this is not to be understood money paid for the right of grazing cattle upon common pastures, but a property tax upon the cattle themselves, such as Dionysius the elder collected with almost incredible harshness and shamelessness.<sup>3</sup> In the sixth, the author comprises a poll-tax (*ἐπιτεργάλιον*), and a tax upon trades and occupations (*χειρωναξίον*). Upon political œconomy, which has the most relation to our present subject, the author is very brief. The best income under this head he considers to be the revenue from the peculiar products of the country, particularly, therefore, also that derived from the mines, the products of which, in accordance with what was said respecting the œconomy of satraps, are here especially to be understood by the term, "the peculiar products of the country;" then the revenue from the emporiums and the like;<sup>4</sup> and lastly, that from common things (*ἀπὸ τῶν ἐγκυκλίων*). By this expression of so great diversity of

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erroneous explanations: against such an one, see G. C. Lewis in the *Philological Museum* of the year 1838, N. I. p. 129.

<sup>1</sup> I read *ἀπὸ ἐμπορίων*.

<sup>2</sup> *Comp. Lex. Seg.* p. 247.

<sup>3</sup> In the *Œcon.* ascribed to Aristotle, II. 2, 20, the transaction is detailed at length.

<sup>4</sup> *Ἀπὸ ἐμπορίων καὶ δι' ἀγῶνων*. The latter part of the phrase is evidently corrupt; for to conceive of the public games, because they were wont to be connected with markets, is evidently inadmissible. Hereen (*Idcen*, Bd. III. S. 333) would read *ἀγορῶν*, Schneider *ἀγοραίων*; but then *διὰ* must be struck out. I conjecture *διαγωγῶν*, and understand transit duties (*διαγῶγιον*, Polyb. IV. 52; *διαγωγικὰ τέλη*, Strab. IV. p. 192). These, since they do not affect the inhabitants of the country in which they are levied, might certainly be very especially esteemed in political œconomy.

meanings, some have understood the census, some the ordinary *liturgiæ*, while others have wished to assist in the understanding of it by correcting the text.<sup>1</sup> But evidently, the ordinary inland traffic, from which indirect taxes were raised, is intended by that phrase. So afterwards, when the author is treating of private œconomy, after the best income from land and ground, that from the remaining common things (*ἀπὸ τῶν ἄλλων ἐργασιμμάτων*), namely, from the productive trade and business of the country, is mentioned, and after this that from money loaned on interest.

Imperfect as is the outline formed by these remarks, yet the general fact is evident, that the revenue from public domains and indirect taxes were considered the best revenue and taxes of the political œconomy, to which the œconomy of the Greek republics belonged. The detriment of the latter to morals, which has often been represented in our times, was not perceived by the ancients; and when these taxes were moderate, as they were in ancient times, no considerable detriment in point of morals could have been occasioned by them. Man finds everywhere opportunity to do evil, and if one is removed, he will seek another: the cause of virtue is ill promoted, when any particular vice is rendered impossible. On the contrary, the direct taxing of the soil, of trades, and occupations, or even of the person, was considered in Greece, pressing emergencies excepted, as tyrannical; and it was esteemed a component part of freedom, that the property of the citizen, his business, and person, should not be subject to taxation, unless self-imposed. Without this limitation of taxation, no freedom is conceivable. The most ignominious imposition was the poll-tax, which none but slaves paid to their tyrant, or to his deputy the satrap, or subjugated nations to their conqueror, as, for example, the inhabitants of the provinces, to victorious Rome.<sup>2</sup> "As the field,"

<sup>1</sup> See particularly Schneider's preface. His conjecture, *ἐγκτημάτων*, has every thing against it. The political œconomy is the œconomy of cities, which, as such, and without reference to satraps or kings, to whom they may have been subject, were in other respects free communities. In these the land-tax certainly could not be considered, according to the principles of the ancients, apart from individual theories, as one of the better sources of revenue. Besides he must, if his conjecture were correct, have written *ἐγκτημάτων* again in what follows also, where it would make no sense at all.

<sup>2</sup> Cic. to Attic. V. 16. There are isolated exceptions, to be sure: as, for example,



says Tertullian,<sup>1</sup> "is of less value when it is subject to a tax, so are the persons of men more despised when they pay a poll-tax: for this is an indication of captivity." He whose person was not free had assuredly to pay a tax upon his head, that it might not be taken from him. When Condalus, the vicegerent of Mausolus, asked of the Lycians, who were fond of wearing long hair, a poll-tax, in case they would not be shorn, in order to supply the king with the hair, which he pretended to want for periwigs,<sup>2</sup> the demand was, indeed, still very gracious. He might with equal right, instead of their hair, have demanded their heads, or money to redeem them; for the great king was the sole proprietor of all the heads in his kingdom.

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## CHAPTER II.

REVENUE FROM LANDS, HOUSES, AND SIMILAR PROPERTY BELONGING TO THE STATE, TO SUBORDINATE COMMUNITIES, AND TO TEMPLES.

UNDER the term *revenue* (*Gefüll*) (*τελος*), sometimes less, sometimes more is comprised. Almost every public charge, with the exception of fees for the administration of justice and fines, was so called. Under the present head, in which liturgiæ and property taxes do not come into consideration, we comprise in that term all revenues derived from public domains, the duties, and other taxes received in harbors and in markets, personal taxes, and those upon trades and occupations.

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the Athenians in Potidæa, upon the occasion of the imposition of a property tax, taxed those who possessed no real property two minas (II. Book of the *Œcon.* ascribed to Aristotle); they caused their persons, therefore, to be taxed.

<sup>1</sup> Tertull. Apolog. 13. The indiction according to capita, which from the time of Diocletian, as it appears, but particularly from the time of Constantine I., was offensive in the Roman Empire, was not a poll-tax, but a tax upon landed property, live-stock, and slaves.

<sup>2</sup> Aristot. *Œcon.* II. 2, 14.

All property was either in the hands of individuals, or belonged to companies, communities, temples, or to the state. We find also, that the districts had possession of certain lands attached to temples; as, for example, the district Piræus possessed the Theseum, and other sacred lands; and the state itself must also be considered as the owner of many sacred lands: so that frequently the same lands were both sacred and public property. But of whatever description may have been the title to such sacred property, the original design of these sacred domains was retained with respect to each divinity (τέμενος); namely, that the expenses of the sacrifices and the other expenses of the temple to which they were attached, should be defrayed from the income derived from them. For this purpose they were leased,<sup>1</sup> unless a curse pronounced upon them forbid their cultivation. The real property of the state and of the communities and temples consisted partly of *pastures* for cattle, partly of *forests*, which were in charge of special overseers (ἐλκτοροί)<sup>2</sup> partly of *arable land*, *houses*, *salt-works*, *land covered by water*,<sup>3</sup> *mines*, etc. How much real estate the Athenian State possessed, beside the real property of temples and of individual communities, we know not. That which once formed the domains of the kings hardly fell, after the abolition of royalty, to the state, but probably remained the private property of the family in whose possession they were. By confiscation, conquest, and long possession, real estate had become the property of the state, but that which was confiscated was readily sold, and that which was conquered was frequently lost.

Doubtless all the real property of communities or of the state, whether sacred or not (ἱερὰ καὶ ὄσια or δημόσια), was leased either

<sup>1</sup> Harpocr. and others on the phrase ἀπὸ μισθωμάτων, in reference to Isoer. Arcopag. 11. Examples are found in inscriptions here and there.

<sup>2</sup> Aristot. Polit. VI. 5, 4; Schn. (VI. 8).

<sup>3</sup> The Attic authorities of the temple at Delos, according to the inscription in my explanation of an Attic document respecting the property of the Sanctuary of Apollo at Delos (Schriften der Akademie of the year 1834), chap. 9 — comp. chap. 16, near the conclusion — leased sea-water, whether on account of the profit to be derived from making salt from it, or on account of the fishery in it. An example of water, as the property of sacred institutions, is given by Strabo, XIV. p. 642, in reference to Asia. Fisheries and the sale of salt in Byzantium, as may be inferred from Aristot. Oecon. II. 2, 3, originally belonged to the state.

in fee-farm, or for a certain term, yet so that the rent accruing to the state, when it did not consist of a sum of money stipulated in the lease, was assigned to a farmer-general. This is most evident from the example of Cephisius, given by Andocides.<sup>1</sup> He had, namely, taken a lease from the state, by virtue of which he collected a charge of ninety minas from those who cultivated public lands. We find, also, there was a farmer-general of the pasturage-money in Orchomenus (*ρομώτης* scripturarius),<sup>2</sup> as in the Roman Empire, who collected the charge for pasturage from individuals. For the sake of convenience, and in order that for this purpose it might need no paid officers, the state collected none of its revenues directly, with the exception of the extraordinary war taxes, and of the fines, and of the rents exposed to no uncertainty. On the contrary, with respect to the real property of communities and of temples, we do not find that a general lease of the rents was made.

Moreover, it appears to have been commonly stipulated at Athens, except in the case of real property of the state, of temples, or of communities, which was subject to the payment of tenths, that the rent should be paid in money. But the state sold these tenths of produce accruing to it to farmers-general.<sup>3</sup> In other countries payments of rent in produce were very frequent in ancient times; for example, they occur in the Heracleian documents which contain the lease granted by the state itself of the real property of the temple of Bacchus and of that of Minerva Polias.

The term of the lease was very diverse. The Orchomenians granted the right of pasturage in the case preserved to our times, for four years. The Attic authorities of the Delian temple in Olymp. 86, 3 and 4 (B. C. 434-33), and the district Piræus, let

<sup>1</sup> Concern. the Myst. p. 45. Κηφίσιος μὲν οὐτοσὶ πριάμενος ὦν ἦν ἐκ τοῦ δημοσίου τὰς ἐκ ταύτης ἐπικαρπίας τῶν ἐν τῇ γῇ (namely δημοσία) γεωργούντων ἐνενηκοντα μνᾶς ἐκλήξας, οὐ κατέβαλε τῇ πόλει καὶ ἐφυνγεν. εἰ γὰρ ἦλθεν, ἐδόδετ' ἂν ἐν τῷ ξύλῳ. ὁ γὰρ νόμος οὕτως εἶχε, κυρίαν εἶναι τὴν [τε] βουλήν, ὃς ἂν πριάμενος τέλος μὴ καταβάλλῃ, δεῖν εἰς τὸ ξύλον. The correctness of the reading ἐν τῇ γῇ is doubted, but it does not appear to be liable to suspicion. Sluiter's conjectures are entirely inadmissible.

<sup>2</sup> C. I. Gr. No. 1569, a. Comp. in respect to the charge for pasturage, C. I. Gr. No. 1537, and other passages. A charge for pasturage which the Epidaurians were bound to pay to Apollo, is mentioned by Thuc. V. 53.

<sup>3</sup> The only mention of a tenth belonging to the state, which has come to my notice, is found in Beil. III. § 3.

certain possessions for ten, the district Æxone for forty years.<sup>1</sup> In a document very much mutilated, according to which certain landed property of the state itself was let,<sup>2</sup> it is still perceived that the term of the lease was twenty-five years. Apart from this the letting of the landed property of the state is just that part of the subject at present under consideration of which we have the least information. Ælian<sup>3</sup> gives an example, however, beside the one quoted from Andocides. He relates, that the Athenians had let the public lands attached to the city of Chalcis in the island of Eubœa, with the exception of those which were dedicated to Minerva, and of course of the land which had been assigned to the cleruchi. The documents relating to the lease stood at Athens in front of the royal porch.

Special officers were appointed to take charge of many matters of this nature; as, for example, the overseers appointed from the Areopagus (ἐπιμεληταί, ἐπιγνώμονες)<sup>4</sup> to take charge of the sacred olive-trees (μορίαί), the produce of which also was let. The demarchus, according to Demosthenes,<sup>5</sup> had the collection of the rents for the landed property belonging to the temples. This, however, refers, first of all, and as a general rule, to the property of the districts. Other rents were under the charge of officers of the state, of the authorities of the state and of the temples, according to the ownership of the property.

Xenophon expressly mentions *houses* among the tenements

<sup>1</sup> Orchomenian inscription, C. I. Gr. No. 1569, a. Inscription respecting the landed property of the temple at Delos, in my explanation of an Attic document respecting the property of the sanctuary of Apollo at Delos (ut sup.), chap. 9; Piræan document C. I. Gr. No. 103; and documents of the Æxoneans, C. I. Gr. No. 93.

<sup>2</sup> Ephem. Archæol. No. 157.

<sup>3</sup> V. H. VI. 1. A mention of the revenue from public landed property in Attica may also be found in Thucydides, VI. 91, near the end, in the words ἀπὸ γῆς. But also the incomes of private persons from their landed property may be understood from that passage.

<sup>4</sup> Lysias's defence, ἐπὶ τοῦ σηκοῦ, p. 260. Comp. Markl. on the same, p. 269, 282. The law of the Emperor Hadrian, relating to the delivery of the third, or of the eighth of the produce of the olive-tree, has no reference to the lands of the state, but to private property, from which that portion was to be delivered for public use at a certain price. It was, therefore, a forced sale to the Athenian State, such as was required with respect to wine and grain in the times of the emperors. (Comp. Bernann de Vect. P. R. 3.)

<sup>5</sup> Ag. Eubulid. p. 1318, 20. To what extent a similar assertion may be made respecting the naucrari, in whose stead the demarchi were substituted, see Book IV. 6, of the present work.



which were leased from the state.<sup>1</sup> The temples also possessed houses which were let, and which were obtained in part from donations and confiscations; as, for example, the temple of Apollo at Delos, let the use or the usufruct of houses, together with its other domains;<sup>2</sup> and other communities, namely, the districts, did the same with houses attached to their landed property.<sup>3</sup> "The Mendæans," says the unknown author of the little work on Œconomy,<sup>4</sup> "applied the duties received from the harbors, and some other taxes, to the administration of government. The taxes on lands and houses they did not collect, but they registered the names of those who possessed them. But when they wanted money, they raised it from these debtors. The latter gained by this arrangement; since they had used the money in the mean time, without paying interest." Hence some would infer that both a ground-rent and house tax was exacted. But the author evidently refers only to public landed property, which the state leased, on such terms, however, that the rent was left in arrear without interest, in order that in case of emergency it might receive a larger sum at once, and might at the same time allow greater profits to the lessees. Moreover, houses were let at Athens to contractors, or speculators (*ραύζληγοι*). The word signifies also landlords (*σταθμοῦχοι*), since they immediately let the houses singly to others.<sup>5</sup> Probably the same thing is indicated by the singular expression of the grammarians,<sup>6</sup> that by the same appellation (*ραύζληγοι*), persons were designated who were hired to take charge of the collection of the rents of houses; namely, the underletting was committed to them, as contractors, from which they obtained their profit; and so far they might be considered as hired servants of the proprietor. That the lessees of houses paid their rent to the state by the *prytania*, not by the

<sup>1</sup> Concern. the Public Rev. 4, *τεμένη, ἱερά, οἰκίας*. The middle word is obscure. May the revenue derived from sacrifices have been farmed, and have been indicated by the term *ἱερά* (sacra, temples, or sacrifices)? At least the theatre was thus let, which, in a certain sense, was also a sanctuary.

<sup>2</sup> Beilage VII. § 4, 10, and the inscription in my Abh. über die Attische Urkunde vom Vermögen des Delischen Tempels, as before cited.

<sup>3</sup> As, for example, C. I. Gr. No. 103.

<sup>4</sup> II. 2, 21. Schneid. ed.

<sup>5</sup> Comp. Book I. 24, of the present work.

<sup>6</sup> Harpocr. Suid. Ammon. Lex. Seg. p. 282; Lex. Rhet. in the Eng. ed. of Photius, p. 673, and others.

month, has already been remarked ;<sup>1</sup> but whether it was paid in every prytania, or only in some prytanias, may be left undecided.

All these lettings were granted to the highest bidders at public auction, and for this purpose the conditions of the same were previously exposed to public view inscribed on stone. The names of the lessees could be afterwards inscribed, so that the document thus published at the same time served as a contract of lease, or a special document respecting the lease might be set up. Some Attic documents containing contracts of lease are still extant, either entire, or in fragments. Among these two, which are the best preserved, refer to landed property belonging to districts, one to property belonging to a tribe. In these are stipulated, beside the term of the lease, particularly the conditions relating to the manner in which the property should be used, and, when the bargain had been already made, the rent to be paid, furthermore the security for the rent by apotimema, or sureties, and the dates at which it was to be paid. Thus in the document of the district *Æxone*<sup>2</sup> the month *Hecatombæon*, the first month of the year, is stipulated as the date of the payment ; in that of the *Piræus*<sup>3</sup> it is stipulated, that the half of the rent should be paid in the month *Hecatombæon*, the other half in *Poseideon*, the sixth month. In the fragment of a document respecting a lease made by a tribe<sup>4</sup> it is stipulated that the rent should be paid in three equal instalments, namely at the commencement of the year, and in the seventh and eleventh months, *Gamelion* and *Thargelion*. In the first and second documents, it is remarked, that, if an extraordinary tax (*εἰσφορὰ*) should be imposed upon the land, or its assessed value (*τῆμνα*), the proprietor should pay it : and in the first it is also stipulated, beside this, that, if the enemy should interrupt the lessee's possession of the land, or do him damage, the half of the produce should be delivered to the proprietor instead of the rent.

<sup>1</sup> I. 24.

<sup>2</sup> C. I. Gr. No. 93.

<sup>3</sup> C. I. Gr. No. 103. There is a new transcript of the same in Lewis's translation of the first edition of the present work, p. 467, of the second edition : it gives different readings, which in part agree with those given by me in the Add. They alter nothing, however, of the essential purport of the inscription.

<sup>4</sup> C. I. Gr. No. 104.

The theatres were let in the same way as other real property. An evidence of this is given by another Piræan inscription.<sup>1</sup> According to this the lessee of the theatre was bound to keep the building in good repair. His income from it was of course the entrance-money. The rent of the theatre of the Piræus, in the case transmitted to us, was 3,300 drachmas. The district Piræus as proprietor of the theatre adjudged wreaths of olive twigs to the lessees, who were four in number, and also to Thiaëus; who had occasioned the rent to be increased by three hundred drachmas.

Beside the above-mentioned property the money producing interest, which was possessed not by the state indeed, but by temples, and subordinate communities, deserves mention. Thus, to cite only a few examples, the Delian god had lent large sums of money to states, money-changers, or other private persons.<sup>2</sup> In Coreyra we find that a considerable sum was consecrated for the purpose of celebrating games in honor of Bacchus,<sup>3</sup> and the temple at Delphi also appears, according to Demosthenes, to have lent money.<sup>4</sup> Of money producing interest, belonging to communities, the district Plotheia affords an example.<sup>5</sup>

## CHAPTER III.

### OF THE MINES.

THE *mines* (μέταλλα) of the Athenian State were partly domestic, partly foreign. The former were the silver mines of Lau-

<sup>1</sup> C. I. Gr. No. 102. In the smaller characters of the inscription after Πήληξ, Π is to be read instead of ΠΗ.

<sup>2</sup> Attic document relating to the property of the Delian temple in the publications of the Academy (in den Schriften der Akademie) as before cited. Beilagen VII. § 8; VII. B. XV. § 8.

<sup>3</sup> C. I. Gr. No. 1845.

<sup>4</sup> Demosth. ag. Mid. p. 561, in the account which he gives of the Alcmaeonidæ. Ἐκ Δελφῶν, namely in that passage can hardly signify any thing else than the sanctuary at Delphi. Herodotus, however, V. 62, appears to have known nothing of this matter.

<sup>5</sup> C. I. Gr. No. 82.

rium.<sup>1</sup> By means of the income derived from them the naval force of Athens was first raised by Themistocles to a considerable rank, so that the state was very greatly indebted to them. They extended from coast to coast in a continuous line of one and a half German (about 8½ English) miles, from Anaphlystus to Thoricus. The working of them had commenced in remote ages. It appears to have been very productive in the time of Themistocles, but became less profitable as early as the age of Socrates and Xenophon. In the century in which Strabo lived it so far ceased, that without making further excavations, only the earth, which had been previously removed, and the scorixæ were used. The ores contained silver together with lead, perhaps also copper, and, beside these metals, zinc, but no gold; at least not so much that the ancients, with their imperfect method of refining metals, could have separated it with profit. At Thoricus spurious emeralds were found. Not less valuable were the cinnebar there found, and the Attic sil, a highly esteemed coloring material. The mines were worked with shafts and adits, and by removing whole masses, so that supports of earth (*μεσοζυγείς*) alone were left. The smelting process seems, upon the whole, to have been the same as that of the other mines of antiquity.

The people or the State was the proprietor of the mines, but they were never worked upon the public account, nor were they ever let, as other landed property, in leasehold,<sup>2</sup> but were all granted in fee-farm to private persons, and they passed from one to another by inheritance, sale,<sup>3</sup> and, in brief, by every legal method of alienation. The *poletæ* had the charge of the sale of the mines, that is of the right to work them. For this, once for all, a price was paid, beside which the tenant was bound to pay the twenty-fourth part of the produce as a perpetual tax. The

<sup>1</sup> I have treated at large of these mines in the "Abhandlungen der Berlin. Akad. d. Wiss." of the year 1815. In that treatise may be found the proofs of what I have here extracted from it, with the omission of many details. Additions to that treatise would also appear here out of place, and are, therefore, almost entirely avoided.

<sup>2</sup> In the *Abh. über die Laurischen Bergwerke*, p. 27 (of the separate impression), line 22, it is remarked that the Romans managed their mines differently for a time: namely, that they let them in *leasehold* before the state itself worked them. Although "*Erbpacht*" is there printed, the connection itself shows that "*Zeitpacht*" is to be read.

<sup>3</sup> See, in reference to this point, particularly the documents C. I. Gr. No. 162, 163.



purchase-money was paid directly to the state; the rents of metal were, without doubt, let to a farmer-general. The amount of revenue which both produced (to say nothing of the profit which the state derived also from the market and from the public buildings connected with the mines), must have been very diverse, according to the greater or less number of mines which were let in a year, and to the richness or poverty of the ores discovered, or to the more active or remiss working of the mines. In the time of Socrates they produced less than at previous periods. When Themistocles proposed to the Athenians to apply the money derived from the mines to ship-building, instead of distributing it, as previously, among the people, the annual public revenue from the mines, although the accounts relating to it are extremely inexact and indefinite, appears to have amounted to between thirty and forty talents. Citizens and *isotelæ* alone were entitled to the possession of mines. The number of the tenants was evidently considerable, and, like the agriculturists, they were reputed a separate industrial class. Sometimes they possessed many mines, sometimes only one. We also find that sometimes several were tenants in common of a single mine. The common price was a talent or something more. Old, deserted mines, which were to be worked again anew, were, on the other hand, sold at a very cheap rate. In an instance transmitted to us, the price was about 150 drachmas.<sup>1</sup> The manual labor was performed by slaves, either belonging to the tenants, or hired. A great number of them were employed in the mines. By this means the labor of mining was less costly, but the advance of art in the improvement of the process was retarded. Security in the possession of the mines was firmly established by severe laws. The rights of the state were strictly guarded. Athens had a mining law (*μεταλλικός νόμος*), and a special course of procedure in lawsuits relating to mines or to matters connected with them (*δίκαι μεταλλικαί*). These, in the time of Demosthenes, in order further to favor the miners, were classed with the monthly suits. The mines were also exempt from extraordinary taxes, and the possession of them did not oblige the tenant to the performance of *liturgiæ*, nor were they trans-

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<sup>1</sup> C. I. Gr. No. 162, 18, together with the note.

ferred in the exchange of property; not because it was designed by these regulations to promote the working of mines, but because they were considered as the property of the state, the use of which was enjoyed in return for a definite payment, like the duties and tolls by the farmers-general; and only freehold property, not a possession subject to rent, obliged the holder to the performance of *liturgiæ*, and the payment of extraordinary taxes.

What were the regulations relating to the *stone quarries*, in which beautiful varieties of marble<sup>1</sup> were found, and which the ancients<sup>2</sup> also considered as mines, I have nowhere learned.

That Athens appropriated to its own use the mines of all its subject allies, cannot, considering the whole course of her proceeding in relation to those allies, be assumed. These mines remained, as a general rule, the property of those persons to whom they had belonged previously to the Athenian sovereignty. But the mines in Thrace appear to have been immediately dependent upon Athens, and were probably worked in the same way as the Athenian mines, although there is a want of definite information respecting them. The Phœnicians first worked the Thracian gold mines, together with those of Thasos, and after them they were worked by the Parian colonists established in Thasos. The gold mines of Scape Hyle, upon the continent, produced an annual income to the state of Thasos of eighty talents, those of Thasos produced less; the produce was so great, however, that the Thasians, enjoying an entire exemption from land-taxes, derived from the mines of the island and of the continent, including the duties and tolls from the emporiums, and perhaps the rents of some lands which they possessed in Thrace, an annual income of two hundred to three hundred talents.<sup>3</sup> When the Athenians had established themselves in Thrace, they had a contest with the Thasians respecting the mines and emporiums on the continent, which they coveted, Cimon took from them thirty-three ships in a naval engagement, besieged, and in the third year of the siege captured the city (Olymp. 79, 1 B. C. 464),

<sup>1</sup> Caryophilus de Marmoribus, p. 4 seq.

<sup>2</sup> For example, Strabo, IX. p. 399; Pollux, VII. 100.

<sup>3</sup> Thus Herodotus, VI. 46, is to be understood.

and acquired for his country the coast together with the gold mines.<sup>1</sup>

Thus they possessed not only Scape Hyle, but also other cities on the continent, which had belonged to the Thasians, and for which the latter had, in the expedition of Xerxes, defrayed the expense of provisioning his army.<sup>2</sup> Of these was Stryme, a Thasian commercial town,<sup>3</sup> for which, at a later period, when the Athenian power in those countries had declined, Thasos contended with Maronea;<sup>4</sup> and among the same undoubtedly were Galepsus and Œsyme, colonial cities of the Thasians;<sup>5</sup> and Datos, also a Thasian town, between Neapolis and Nestos. Near Datos, the Athenians, at the very time when the contest with the Thasians commenced (Olymp. 78, 2 B. C. 467),<sup>6</sup> had a very disastrous engagement with the Edoni on account of the gold mines.<sup>7</sup> Crenides, on the contrary, does not seem to have been possessed by the Thasians in earlier times, although they had possession of it in the 105th Olymp. (B. C. 360). It is very probable, that at that time the Athenians collected the revenues of all these places, and of the mines. The latter may have been in part granted to Athenians in fee-farm, in part have been left in the possession of their former proprietors. If we knew as many of the names of the holders of the Thracian mines, as have been transmitted to us of the tenants of the Laurian mines, we would be enabled to form a more definite opinion respecting this point; but Thucydides is the only person who possessed mines in Thrace, whose name is known.<sup>8</sup> But even with respect to him, the manner in which he became possessed of them is uncertain. If they were situated at Scape Hyle, where Thucydides lived at least for some time in exile, wrote a part of his history, and, according to one ac-

<sup>1</sup> Plutarch, Cimon, 14; Thuc. I. 100, 101; Diodor. XI. 70. Comp. Beilage XX. die allgemeinen Bemerkungen, Abschn. V.

<sup>2</sup> Herodot. VII. 118.

<sup>3</sup> Herodot. VII. 108; Suid. on Στρώμη.

<sup>4</sup> Letter of Philip in the speech ascribed to Demosthenes.

<sup>5</sup> Thuc. IV. 107. Comp. respecting Galepsus, Beilage XX. in the catalogue of the cities.

<sup>6</sup> Krüger, Hist. Philol. Studien, p. 144 sqq.

<sup>7</sup> Herodot. IX. 75. Comp. Thuc. I. 100, IV. 102; Diodor. XI. 70, XII. 68; Pausan. I. 29, 4.

<sup>8</sup> Thuc. IV. 105.

count, died,<sup>1</sup> after the Athenians had lost possession of it, they could not have come to him by inheritance from the Thracian king's daughter, Hegesypyle,<sup>2</sup> from whom Thucydides was descended; for Scape Hyle was not a Thracian, but a Thasian town. They might rather have been acquired by Athens, after Cimon, a near relative of Thucydides, had conquered the country. But it is most probable, that Thucydides had obtained them by marriage with Epicleros, a Greek or hellenized lady of Scape Hyle.<sup>3</sup>

## CHAPTER IV.

### OF DUTIES, OF TOLLS, AND OF THE FIFTIETH.

THE *duties* and *tolls* were partly raised from the emporiums, partly from the markets (*ἀπ' ἐμπορίων καὶ ἀγορῶν*). By the former word were designated the places where the business connected with the wholesale commerce carried on by sea was transacted, and the revenue therein raised was derived from import and export duties, together with the charges paid by foreign vessels for the privilege of lying in the harbor. The markets, on the contrary, were supplied by countrymen and retail dealers (*ἀγοραῖοι, καὶ ἀπῆλοι*), and the revenues from them were derived from the duties imposed upon commodities sold which were used in the country, and the tolls paid for the right of selling in the market.<sup>4</sup>

<sup>1</sup> Plutarch, Cimon, 4, and in the work de Exilio; Marcellinus's Life of Thucydides, p. 724, 729, in the Leipsic ed. of Thuc. of the year 1804. Comp. Roscher's Thuc. p. 100.

<sup>2</sup> Plutarch and Marcellinus, p. 722, are of this opinion; although the other opinion is also found in the latter, since his work is a mixture of various accounts. Hegesypyle was the wife of Miltiades the younger.

<sup>3</sup> Marcellin. p. 723. Ἡ ἀγάγετο δὲ γυναῖκα ἀπὸ Σκαπτῆς ἑλῆς τῆς Θράκης πλουσίαν σφόδρα καὶ μάλιστα κεκτημένην ἐν τῇ Θράκῃ.

<sup>4</sup> Salmasius, in his work de Usuris, treats at large of the difference between wholesale merchants (*ἐμποροί*), and retailers. I will cite only one of the principal passages, Plat. de Repub. II. p. 370 E. sqq. Whether there were really two kinds of emporiums, one kind for aliens, and one for natives (*ξενικὸν* and *ἀστικόν*), as is stated in Lex. Seg.



The latter were probably paid by aliens only, and the citizens could traffic without paying toll. Also individuals sometimes enjoyed an exemption from duties and tolls, probably, however, only upon commodities intended for their own consumption, since Demosthenes affirms in general, respecting this immunity (*ἀτέλεια*), that it withdrew nothing from the public revenue, although if granted to many, it must have diminished the rent paid for farming the duties and tolls.<sup>1</sup>

To all who did not enjoy this immunity, all exports and imports were subject to the low duty of two per cent. or the fiftieth (*πεντηκοστή*). The grammarians<sup>2</sup> state expressly that all goods which were brought from a foreign country into the Piræus were subject to this duty. That this was the case with respect to imported grain, coloring materials, manufactured goods, as, for instance, woollen garments, drinking and other vessels, is evident from the testimony of ancient writers.<sup>3</sup> That it was imposed upon cattle exported, even upon such as belonged to an Athenian *theoria*, we know from the inscription on the Sandwich marble;<sup>4</sup> and if the fiftieth was not required upon all exported commodities, how could Demosthenes have appealed to the books of the pentecostologi in order to prove that a ship which had sailed from Athens had laden a cargo worth only 5,500 drachmas?<sup>5</sup> Ulpian<sup>6</sup> asserts that arms could be imported free from duty: certainly, if the soldier bore them as armor, but hardly, if they were imported for sale. Ulpian's testimonies commonly prove nothing, since they are merely inferences from misunderstood passages of his Demosthenes. I have met with no notices relating to importation and exportation by land, except a passage to which I will subsequently refer; and the exportation and importation in this way must have been very limited, since in

p. 208, is to me uncertain. In the same work, p. 255, in the article on the word *ἐπιμεληταί*, *Ἀττικὸν* is to be written from Harpocration. *Ἐμπόριον Ἀττικὸν* often occurs in Demosthenes.

<sup>1</sup> Demosth. ag. Lept. § 21, Wolf. ed. Comp. also, respecting exemption from duties, Book I. 15, of the present work.

<sup>2</sup> Etym. on the word *πεντηκοστολογούμενον*; Lex. Seg. p. 192, 30. Harpocration, Pollux, and Photius have nothing of consequence upon the fiftieth.

<sup>3</sup> Beilage XVIII.; Speech ag. Neæra, p. 1353, 23; Demosth. ag. Mid. p. 558, 16.

<sup>4</sup> Beilage VII. § 5.

<sup>5</sup> Demosth. ag. Phorm. p. 909.

<sup>6</sup> Demosth. ag. Mid. ut sup.

Greece, and in Attica in particular, the most intercourse and the most active traffic was by sea. The duty upon imported commodities was paid at the unloading<sup>1</sup>; upon those which were exported, probably at the lading of the same; and, in both cases, to the so-called pentecostologi,<sup>2</sup> not in kind, but in money, as is proved by the inscription on the Sandwich marble, and by the circumstance that the value of the goods exported or imported was registered in the books of the custom-house. Since the duty on grain (*πεντηκοστὴ τοῦ σιτοῦ*), which had respect to importation only, was, at least sometimes, farmed singly,<sup>3</sup> the fiftieth must occasionally have been sold separately, according to the most general distinctions of commodities, to several farmers-general.

How much the state received annually from the fiftieth is difficult to determine. If the importation of grain amounted annually to a million medimni, as we have previously assumed, and if the value of the medimnus is reckoned, on the average, at three drachmas, although it is not known upon what principles its value was estimated, the farmer of the duty on grain received annually ten talents, of which a part must be deducted for his trouble, the expenses of collection, and his profit.

With respect to other commodities little can be said. The only passage relating to the amount of the fiftieth is found in Andocides concerning the mysteries,<sup>4</sup> but it admits of so much

<sup>1</sup> Demosth. Paragr. ag. Lacrit. p. 932, 25 seq.; Plant. Trinumm. IV. 4, 15. In the latter passage, however, the Roman custom may also have been meant.

<sup>2</sup> Beside other passages already cited for other objects, comp. in respect to these officers, Athen. II. p. 49, C.

<sup>3</sup> Speech. ag. Neæra as before cited.

<sup>4</sup> Page 65 sqq. Reiske has corrected this passage for the most part justly, and it has also lately been corrected by Bekker. Comp. Valek. Diatr. Eurip. p. 293, and Sluiter's Lect. Andoc. p. 158 seq. Agyrrius must evidently be read instead of Argyrius; ἄρχων εἰς is to be changed into ἀρχώνης; and then μετέσχον δ' αὐτῷ to be read, and λέυκην. Τόπος is to be obliterated as a gloss, and οὗς to be read, and after that ὀλίγον from manuscripts, instead of ὀλίγον. The words ὡς πολλοῦ ἀξίον are an exposition of οἶον, and I consider them as a gloss. Instead of γνῶναι γνόντες appears to be the correct reading. Other corrections I omit, since they have been already acknowledged. Ἀρχώνης has passed from this passage to the grammarians. Etym. and Lex. Seg. p. 202: ἀρχώνης, ὁ ἀρχων ὡνής οἰτινασών, namely πράγματος, for example, τέλους. Hesych. Ἀρχωνής· ὁ προηγουμένος ἱεροῦ ἁλόν, as has been justly corrected. Here should also be mentioned the πεντηκοστάρχος (as a friend has corrected, instead of πεντηκόνταρχος) Lex. Seg. p. 297. ὁ ἀρχων τῆς πεντηκοστῆς τῶν τέλων καὶ τῶν πεντηκοστῶν (read πεντηκοστω-

doubt, with respect to its signification, that we are compelled to give his own words. "This Agyrrhius," these are his words, "this highly cultivated man, was, in the third year prior to this date, the principal farmer of the fiftieth, and had purchased it for thirty talents, and all those who were collected about him under the white poplar, participated with him in the purchase. You know what kind of people they are. They seem to me to have assembled there with a double motive, that they might receive money from the competitors if they did not overbid them, and if the fiftieth were sold at a low price, that they might obtain a share of it. But after they had gained *two* (according to another reading *three*) talents, they perceived what sort of an affair it was, and all combined together, and giving the others a share, they purchased the same duty again for thirty talents. Since now no one made a bid in opposition to them, I went to the council and overbid them, until I obtained the duty for thirty-six talents. But after I had put these persons aside, and had given you sureties, I caused the money to be collected and paid it to the state, and I suffered no loss, but we, who were associates in the transaction, even gained a small sum. I prevented those persons, however, from dividing among themselves six talents of silver belonging to you." According to this passage the farming of the duty was undertaken by companies. Agyrrhius, and afterwards Andocides had such a company. At the head of each company there was a chief farmer (*ἐργώτης*) whose name it received. The duty was sold at auction near the white poplar tree by the poletæ to the highest bidder, with the reservation that the sale should be approved by the council. But in the present instance the subject of discourse was not any particular portion of the fiftieth, but that duty itself in general. Those persons, therefore, had farmed it on that occasion as a whole, and had not divided it into separate portions. It had been farmed by Agyrrhius in the third year before the delivery of the

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*νῶν*). Briefer, but substantially the same, is the interpretation of Photius. In it also is erroneously written *πεντηκόνταρχος*. With regard to the correction proposed in the subsequent management of the passage, namely of *εξ* instead of *δύο*, which was first published by Reiske, it may be said to be the less bold, since the manuscripts also have *τρία*; the numbers 6, 3, 2, might easily, in both methods of writing them, that with the characters F, Γ and B, and with FI, III, and II, be interchanged.

oration, which has been quoted; in the following year Andocides undertook the farming of it, having deprived Agyrrius of it, and then in the succeeding year he was involved by the party of Agyrrius in the lawsuit concerning the mysteries.

It has been incorrectly supposed, that the contract was for three years: but the expression of the writer does not admit of this meaning.<sup>1</sup> Andocides, to be sure, says, according to the common reading, that Agyrrius and his company had gained two (or three) talents. He himself offered six talents more than they had, but he could not, unless he was willing to submit to evident loss, offer more than, at the most, what the company of Agyrrius had given, and gained in the previous farming of the duty. Hence it might be supposed, that those two talents were an annual profit, so that the company of Agyrrius, if that were the case, would have gained six talents in three years, the rent being thirty talents. This rent then must have been for three years, since Andocides, adding the three years' profit to this rent, went as high in his bid as thirty-six talents. But common usage allows us to understand here a farming of this duty undertaken for the third year before the delivery of the oration, not for three years; and no orator could so express himself as to state the rent for three years, but the profit of the farmer only for one year, without designating the difference. Rather let the number, which is in other respects uncertain, be corrected, and *six* talents be read as the profit of the farming company of Agyrrius. Now, if this had been the three years' profit and rent, the fiftieth would have produced a sum extraordinarily low, particularly in relation to the importation of grain; which, moreover, did not constitute the largest part of the whole importation into the country. The duties upon the other imports, and upon the exports of cattle, and of other provisions, of salt fish and meat, oil, wine, honey, hides, articles made of leather, timber, metals and other minerals, vessels, ointments cordage and tackling, all sorts of raw materials, and manufactured commodities must have far exceeded in amount the duty upon grain. The importation and exportation of slaves also, upon which, as by the

<sup>1</sup> De Pauw. Rech. Philos. Vol. I. p. 356, understood it to mean a three years' rent; Maase Sparta. Vol. II. p. 504, one year's rent. *Ἐπίον ἔτος* signifies, according to a frequent usage, the *third year previous to the present time*.



Romans, a duty was likewise imposed, could not have produced an inconsiderable sum.<sup>1</sup> And if the fiftieth, including the costs of collecting, produced only about fifteen to sixteen talents annually, there would not have been more goods exported and imported than to the value of 750 to 800 talents, which is evidently too small an amount. To the above considerations may be added, that the only revenue, of the farming of which we know with certainty for how long a period it was undertaken, namely, the tax upon prostitutes, was farmed for only one year. We must therefore suppose the same in respect to the general farming of the other revenues, and assume, according to the words of Andocides himself, that the fiftieth produced the state annually thirty to thirty-six talents: so that the value of the imports, and exports, including the profit from the farming, and the cost of collecting the duties on the same, would amount in that case to about two thousand talents, (3,000,000 thlr., or \$2,052,000).<sup>2</sup> This was at a period, however, when Athens was not in a flourishing condition, namely, in the first years after the anarchy. In prosperous times the duty may have been much more productive.

In other countries the duties were not less productive, and indeed in some places they were much more profitable. In Macedonia, the harbor duty was generally farmed for twenty talents. Callistratus raised the farm rent to forty talents by facilitating the giving of security. For before his time every one who farmed the revenues was obliged to give security to the amount of at least a talent; which none but wealthy persons could do; but he allowed that security might be given for only the third part of the farm-rent, or for whatever part of it one could persuade the sovereign to receive security and to farm to him the duty.<sup>3</sup> Here the subject of discourse is evidently an annual farming. The harbor duty of Rhodes amounted, before Olymp. 153, 4 (B. C. 165), annually to a million of drachmas (more than 166 talents): and after it had been much reduced it still amounted to 150,000 drachmas (25 talents).<sup>4</sup> Cersobleptes

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<sup>1</sup> Lex. Seg. p. 297.

<sup>2</sup> Barthélemy, *Anach.* Vol. IV. 505, reckons the annual exports and imports at an amount not much differing from this, namely ten millions of livres.

<sup>3</sup> Aristot. *Econ.* II. 2, 22.

<sup>4</sup> Polyb. XXXI. 7, 12.

of Thrace received from the emporiums, when commerce was not interrupted, three hundred talents of annual revenue.<sup>1</sup> Whether Athens raised emporial duties in foreign countries also, for example from the Thasian emporiums, which she had appropriated to herself, or whether they were ceded to the tributary or cleruchian states, I leave undecided. On the other hand, by land, duties to be paid upon crossing the frontiers of Attica must have of necessity been established against Megaris and Bœotia, and also at certain times a complete prohibition of trade existed with respect to those countries. Nothing definite, however, can be shown. It is related of Oropus upon the confines of Attica, and Bœotia,<sup>2</sup> that its inhabitants were all robbers, and collectors of duties, and that, incited by the most insatiable avarice, they farmed even the duty imposed upon the goods which should be imported into their city (*τελωνροῦσι γὰρ καὶ τὰ μέλλοντα πρὸς αὐτοὺς εἰσάγεσθαι*). This may certainly have reference to a duty paid upon goods crossing the frontiers, which sometimes the Bœotians, sometimes the Athenians, had collected at the same place. But as Oropus lay also on the sea, and the importation from Eubœa into Attica had formerly been conducted by way of Oropus, even that explanation is uncertain. The difficulty still remains to be considered, for what reason the author rendered that very circumstance so prominent, namely that the Oropians farmed even the duty imposed upon those goods, which should be *imported* into their city, as if it was something extraordinary, and exorbitant, that an import duty should be raised, although import duties were at least as common as export duties. This difficulty is to be removed in the following manner. It is not remarked as something peculiar, that an import duty was imposed at Oropus, but that the Oropians themselves were accustomed to farm the collection of an import duty, which was imposed by a sovereign state to their injury, and which oppressed the consumers.

Moreover, it appears that beside the fiftieth, there were probably still other import or export duties. Of these there is a vestige in an inscription.<sup>3</sup>

<sup>1</sup> Demosth. ag. Aristocr. p. 657, 9.

<sup>2</sup> Dicaearchus in his Description of Greece, and the verses of Xenon in the same author.

<sup>3</sup> C. I. Gr. No. 73, c. A, Vol. I. p. 894. In this passage is mentioned the collection

## CHAPTER V.

CONJECTURES RESPECTING HARBOR DUTIES AND PORT CHARGES.  
THE HUNDREDTH. THE MARKET DUTIES.

BESIDE the fiftieth imposed upon imports and exports, there may, as I conjecture, still a special port charge have been imposed upon all vessels, whether unladen or not, for the use of the harbors, which had occasioned so great an expense to the state; as we know that a tax was paid by the proprietors of warehouses, and of trading houses, for permission to keep goods in them.<sup>1</sup> Harbor duties (*ἐλλμέρια*) and collectors of the same (*ἐλλμεριστῶν*) are often mentioned. The latter, however, appear to have been considered by Pollux<sup>2</sup> as identical with the pentecostologi. As the pentecostologi at Athens, so the collectors of the harbor duties in the Bosphorus and elsewhere, and likewise the Roman portitores, examined the goods, appraised them, and registered them in their books.<sup>3</sup> Finally, harbor duties is undeniably a general term, which comprehends also import and export duties, as, for instance, in the case of the harbor duties of the Rhodians. It by no means follows from this, however, that a separate charge was not paid for the use of the harbor. Two vestiges of it induce me to assume its existence. Eupolis<sup>4</sup> mentions in one of the fragments of his works which are extant, a harbor duty or charge which was to be

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of a duty of four oboli on an importation, as it appears, from Chalceis to Hestiaeæ; and something similar seems to have been said in the preceding context in reference to the importation from Oropus to Hestiaeæ, and in reference to the importation to Oropus. Nothing more definite can now be ascertained.

<sup>1</sup> From the proposals made by Xenophon (see his treatise on the Pub. Rev.), we are authorized to consider this as customary.

<sup>2</sup> III. 132. Other passages of the grammarians, for example, Lex. Seg. p. 251, give no definite information respecting the *ellemenistæ*.

<sup>3</sup> Demosth. ag. Phorm. p. 917, 10. Comp. Jul. Afric. Cest. p. 304.

<sup>4</sup> In his comedy entitled Autolycus quoted by Pollux, IX. 30, Ἐλλμμένιον δοῦναι πρὶν εἰσβῆναι σε δεῖ. *Εἰσβῆναι*, it is evident, can be understood only of embarking on board a ship, as Kühn has already remarked.

paid before one embarked on board a vessel; leaving it uncertain whether it was paid for the person himself, or for the articles which belonged to him. In the treatise upon the Athenian State<sup>1</sup> it is remarked, that the necessity of prosecuting their law-

<sup>1</sup> I. 17. Schneider (Opusc. Xenoph. p. 93) considers this hundredth to have been a duty, in place of which the twentieth was afterwards substituted. This, as well as Manso's representation (Sparta, Vol. II. p. 496), I cannot approve. The twentieth, of which I have given the true account in the next chapter, (chap. 6,) Manso, p. 502, also considers to have been an enhanced duty upon goods to be paid in the Piræus; but the passages which he has collected are not in point. Among other things, he assumes that the Athenians remitted to the allies only the sum by which Alcibiades had increased the tributes, and which is erroneously alleged to have been three hundred talents, and that instead of it they collected a duty from them in the Piræus. But the duty collected in the Piræus was exacted not from the allies alone, but from all persons engaged in commerce, even from Athenians and persons who were not citizens of allied states. And then who compelled the allies to come to the Piræus with their goods? It is evident that Athens, by imposing a higher duty in the Piræus would have caused its own importations to be diminished, and have put an end to the cheapness of commodities. This it certainly could not be willing to do. The twentieth was not collected in the Piræus; but in the countries of the allies. Moreover, Manso, inferring from the amount of the fiftieth, reckons the increased duty at ninety talents. But how could the Athenians introduce a duty producing ninety talents, which, besides, was in part paid previously, instead of the tributes which produced so large an income, in order to increase their revenue, which in the case supposed would in fact have been diminished? But enough of these mistakes. Furthermore, the falsity of this supposition nullifies one of the principal reasons alleged by Schneider in support of the opinion, that the treatise upon the Athenian State was not written by Xenophon, but is older than the time of that author. I have been for a long time convinced, however, that this treatise was not written by Xenophon, and that there is as little reason for supposing that it was of later origin, but rather that it was older than the time of Xenophon, and is of the date of the Peloponnesian war. And I am confirmed in this opinion particularly by the excellent remarks of Roscher on Thuc. p. 248, and specially p. 256 sqq. Although I formerly considered it possible, that the mention in the treatise of the subjection of the allies to Athenian jurisdiction, and the use of the word *φόροι* (2, 1, and 3, 5 instead of the term *συντάξεις* according to later usage) agree very well even with the times of Xenophon, yet I lay upon this, in itself improbable, possibility, still less stress than formerly. It is not to be denied, however, that later and inaccurate writers might have applied the general term *φόροι* also to the later contributions (*συντάξεις*). The circumstances stated in the treatise perfectly correspond with the time of the Peloponnesian war. After a closer examination I have found neither the views, nor the language and style, Xenophontean.

The treatise, one of the most ingenious of the works of antiquity, as Roscher justly observes, is above the political horizon of Xenophon. It is the work of an Athenian oligarch, of high cultivation, of Thucydidean objectivity with respect to his political views, of an acute understanding, and fine humor, but without a nice sensibility, in which most oligarchs are deficient. It seems to me, that to no one can it be more suitably ascribed than to *Critias*, the son of Calliaschus, whose prose political writings are as indubitable, as his poetical works of the same nature. While I was seeking if this



suits at Athens, to which the allies were subject, increased the productiveness of the hundredth (ἐκατοστή) in the Piræus. We

conjecture was supported by an external testimony, what Pollux, VIII. 25, says of Critias occurred to me: ὁ δ' αὐτὸς (ἔφη) καὶ διαδικάζειν τὸ δὲ ὅλον τοῦ ἔτους δικάζειν. Now in the treatise upon the Athenian State διαδικάζειν does not signify indeed of itself δικάζειν δὲ ὅλον τοῦ ἔτους, but it is used 3, 4 sqq., as Platner, Att. Proz. und Klagen, has already remarked, partly in the common signification of diadicasia, in part merely instead of δικάζειν. But it is also not at all conceivable, that διαδικάζειν should be used by any one in the signification "to perform the duties of a judge during the whole year," and it could never appear to have that signification, unless, in some passage, to the word διαδικάζειν the phrase δὲ ὅλον τοῦ ἔτους, or a similar one were added. For it is possible, it is true, to conceive, that διαδικάζειν may mean "to perform the duties of a judge during a certain entire period;" but that this period was exactly a year may not be assumed without a more definite designation. Now a passage of the kind indicated is 3, 6. I give it here without meddling with the immaterial niceties with respect to the reading: φέρε δὴ τοίνυν, ταῦτα οὐκ οἴεσθε χρῆναι διαδικάζειν ἅπαντα; εἰπάτω γάρ τις, ὅτε οὐ χρῆν αὐτόθι διαδικάζεσθαι· εἰ δ' αὖ ὁμοιωεῖν δεῖ ἅπαντα σχῆναι διαδικάζειν, ἀνάγκη δὲ ἐνιαυτοῦ. ὥς οἱδὲ νῦν δὲ ἐνιαυτοῦ δικάζοντες ἐπαρκοῦσιν. It is true that διαδικάζειν does not of itself mean here δὲ ὅλον τοῦ ἔτους δικάζειν, but διαδικάζειν is here used instead of διακάζειν, and since to ἀνάγκη δὲ ἐνιαυτοῦ is to be supplied in the mind from the preceding context διαδικάζειν, this δὲ ἐνιαυτοῦ διαδικάζειν is the same as δὲ ἐνιαυτοῦ δικάζειν. This is evident from the circumstance also, that the author immediately afterwards uses with the like reference the phrase δὲ ἐνιαυτοῦ δικάζοντες. But διαδικάζειν by itself alone, as has already been remarked, can never in any passage have been used instead of δὲ ὅλον τοῦ ἔτους δικάζειν, so that there must be a misunderstanding in this particular, which seems to be explicable from this very passage of the treatise upon the Athenian State. Upon it a more ancient grammarian may have founded the remark, that to Critias, διαδικάζειν δὲ ἐνιαυτοῦ signified the same as δὲ ὅλον τοῦ ἔτους δικάζειν. Pollux, availing himself of the works of this more ancient grammarian, may have transferred this interpretation (which there is no difficulty in supposing with respect to him) to the bare διαδικάζειν: for it appears to me not to be doubted, that he had not the passage of Critias before him, but that his remark is founded upon the authority of a more ancient grammarian. It is, therefore, a matter of indifference with respect to this point, whether in the time of Pollux the treatise was considered one of the works of Xenophon. It was certainly so considered by Diogenes Laertius (II. 57), when he named among the works of Xenophon Ἀγησίλαον τε καὶ Ἀθηναίων καὶ Λακεδαιμονίων πολιτείας, ἣν φησιν οὐκ εἶναι Ξενοφώντος ὁ Μάγνης Δημήτριος. If the last remark refers barely to the Lacedæmonian State, as is generally, and probably with reason, assumed, it is not to be inferred from it, that Demetrius considered the treatise on the Athenian State as a work of Xenophon, but rather that in the time of Demetrius it was not yet ranked among the works of that author, and that hence a doubt of its Xenophontean origin could not have been expressed by him. Moreover, fragments of a prose politia of the Athenians by Critias are nowhere quoted. The fragments to which Bach and C. Müller have referred as fragments of a work of that kind may have been derived from other works of Critias. With respect to the dialect it is deserving of notice, that in the treatise throughout σύν, not ξύν, and ττ instead of the more ancient σσ are found, just contrary to the usage of Thucydides in those particulars. But in a well-preserved fragment of Critias from his Treatise upon the Lacedæmonian State in Athen. XI. p. 463, F, Θετταλικός is found in accordance with the

are not authorized to assume that this hundredth was an import duty, which was raised at certain periods instead of the fiftieth,

same usage. We are not so well acquainted with the manner in which Critias presented historical, or rather political subjects that it may here be taken into consideration. In the treatise upon the Lacedæmonian State he seems, indeed, according to the fragments, with respect to his matter to have directed his attention to other objects than those, which the author of the treatise at present under consideration, that upon the Athenian State, had in view. But, of course, to an Athenian writing upon Athens entirely different points of view would have presented themselves, than there would if he were writing a treatise upon Sparta. But if we should consider the treatise a work of Xenophon, what the author says of the attacks of comedy (2, 18) would appear strange: *Κωμωδεῖν δ' αὖ καὶ κακῶς λέγειν τὸν μὲν δῆμον οὐκ ἔωσαν, ἵνα μὴ αὐτοὶ ἀκούωσι κακῶς· ἰδίᾳ δὲ κελεύουσιν, εἰ τίς τινα βούλεται, ἐν εἰδότες, ὅτι οὐχὶ τοῦ δῆμον ἐστὶν οἷδε τοῦ πλῆθους ὁ κωμωδούμενος ὡς ἐπὶ τὸ πολὺ, ἀλλ' ἢ πλούσιος ἢ γενναῖος ἢ δυνάμενος· ὀλίγοι δὲ τινες τῶν πινύτων καὶ τῶν δημοτικῶν κωμωδοῦνται, καὶ οὐδ' οὗτοι, ἐὰν μὴ διὰ πολυπραγμοσύνην καὶ διὰ τὸ ζητεῖν πλεονεχέειν τοῦ δῆμου.* For the last sentiment would seem strange in Xenophon's month after the attack upon Socrates by Aristophanes in the *Clouds* (Olymp. 89, 1, B. C. 424). But, since Critias was also one of the companions and friends, or disciples of Socrates, this passage could also be quoted against the supposition, that he was the author of the treatise in question. Nevertheless, I doubt whether the ridiculing of Socrates by the comic poets could have restrained a man like Critias, who could hardly be said to have been distinguished for his piety, from asserting an objective truth. If the treatise were older than Olymp. 89, 1 (B. C. 424), this difficulty would not exist. And Schneider and Roscher, actually assert that it was not written later than 88, 4 (B. C. 425), particularly because the author says that the Athenians would not permit the *demos* to be ridiculed in comedy, and because Aristophanes in the *Knights* (Olymp. 89, 1, B. C. 424) had exposed the *demos* itself, as a person, to ridicule upon the stage. On the contrary Th. Bergk (in Schmidt's *Zeitschrift f. Gesch. Wiss.* Bd. II. p. 210) infers, from the same premises, that the work was written after the representation of the *Knights* of Aristophanes. For an express prohibition against ridiculing the *demos* is not probable, and that mention of the subject in the treatise must refer to some particular instance, in which the ridiculing of the *demos* gave occasion to an accusation, or complaint, such as Cleon brought against Aristophanes on account of the *Knights*. In my opinion the determination of the date of the treatise cannot be derived from the passage of it in question, compared with the *Knights* of Aristophanes, but it may have been composed either prior, or subsequently to the *Knights*. As early as Olympiad 88, 2 (B. C. 427) Aristophanes had spoken ill of the state in the Comedy entitled the *Babylonians* (*Acharn.* 502 and *Schol.*), and had been at that time attacked on that account by Cleon (Aristoph. the same, and vs. 377 sqq.). Hence he protests so strongly in the *Acharnians* (Olymp. 88, 3, B. C. 426), that he did not attack the state, but individuals (vs. 514, 515). Indeed that attack upon the freedom of comedy by Cleon, the people's friend, and by his party, might have warranted the judgment expressed in the treatise, that it was not allowed to attack the *demos*. For state and *demos* in a democracy are identical, and that protestation of Aristophanes itself shows, that that distinction between them made by Roscher does not exist, and also *Schol. Acharn.* 377 is against this distinction. That the *demos* was *first* brought upon the stage, as a *person*, and ridiculed in the *Knights*, appears to me to found no real distinction when compared with the ridiculing of the state in the *Babylonians*; for a poetic personification cannot be considered as a special ground of complaint. What the au-

since we find the fiftieth mentioned both in the earlier times of Andocides — whose farming of the duties, as well as that of Agyrrius, occurred in the first years after the anarchy — and also in the times of Demosthenes, and an alteration may not be supposed without proof. Why may not a harbor duty have been imposed of the hundredth part of the cargo, and also of what one imported, or exported as epibates? The more strangers came to Athens the more active was the intercourse; more ships entered the harbors, even although no goods were imported in them: thus the harbor duty was increased by the influx of foreigners. Nevertheless, I present this view only as a conjecture; we have little certain knowledge concerning the hundredth. Aristophanes mentions many hundredths, which Athens imposed,<sup>1</sup> and which according to the scholiast the states paid for the duties: an explanation more obscure than the passage explained. It is probable, however, that this small tax was imposed in Attica upon many articles, and we shall soon return to the consideration of it.

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thor of the treatise upon the Athenian State says upon the freedom of the attacks of comedy upon individuals is, as a general judgment, correct, although temporary restrictions had already been established. The common maxim, that the exception confirms the rule, is valid in this case also. Even as early as in the Archonship of Morychides, Olymp. 85, 1 (B. C. 440) a decree of the people was passed *περὶ τοῦ μὴ κομωδεῖν*, but it was abolished in the Archonship of Euthymenes, Olymp. 85, 4 (B. C. 437), (Schol. Acharn. 67). I consider this decree to be the same as that which, according to the scholia upon Aristophanes, Antimachus had proposed, and induced the people to pass *μὴ δεῖν κομωδεῖν ἐξ ὀνόματος* (Schol. Acharn. 1149, comp. Diogenian VIII. 71; Suidas and others), so that the assertion in another sentence of the schol. that he was choregus at the period when he proposed, and carried that decree, is regarded as incorrect, since the choregia of Antimachus which is there mentioned must certainly have occurred much later. In Olymp. 91,  $\frac{1}{2}$  (B. C. 416  $\frac{1}{2}$ ), a similar decree was proposed, and carried by Syracosius at the suggestion of Alcibiades (Schol. Aristoph. Birds, 1297, comp. Meincke Hist. Crit. comm. Vol. I. p. 40 seq.); but it was not long in force: and in general such laws were, it is certain, not strictly executed. According to Schol. Aristoph. Clouds, it was, prior to the dates just mentioned, forbidden by law to ridicule the archon, and this is quoted as if the law were in force at the period of the representation of the Clouds. This account reminds us that the complaint of Cleon on account of the Babylonians of Aristophanes seems to have had reference to the ridiculing of the *αρχαὶ κληρωταὶ καὶ χειροτονηταὶ* (Schol. Acharn. 377). That a special law secured the highest archon from being ridiculed in comedy I can neither assert nor deny. Every archon, who had received the golden garland, enjoyed by a general law a certain degree of protection (Demosth. ag. Mid. p. 524), and this might certainly be applied to the *κακῶς εἰπεῖν* in comedy. I have seen since I wrote the above that Wachsmuth (Hellen. Alterthumsk. aus d. Gesichtsp. d. Staates, 2, ed. Vol. I. p. 798), starts the question, whether Critias was the author of both the Politiae ascribed to Xenophon: this extension of the question to the Politia of the Lacedæmonians is erroneous.

<sup>1</sup> Wasps, 656.

Revenues from *markets* in Attica, as well as in other Greek countries,<sup>1</sup> are mentioned, and were regarded as considerable in amount, so that they could not have been derived barely from stallage. They were rather derived from an excise upon articles sold in the market.<sup>2</sup> A special agoranomic law had established the duties upon the various articles, and indeed with great particularity; for example, the duty upon fish, in general, was different from that upon eels.<sup>3</sup> Whether these duties were collected at the gates of the city, or in the market, I do not find definitely mentioned; but officers were appointed to collect it. The story in Zenobius, and in other collectors of proverbs,<sup>4</sup> of a fictitious farmer named Leucon leads to that conclusion. This farmer, as is related, put leathern bottles filled with honey into panniers, spread some barley over them, and brought them to Athens, representing the whole to be barley. The ass upon which they were carried fell, the collectors wishing to assist him found the honey, and took it away. This story is probably fabricated, and the occurrence related happened to no Leucon. Leucon was an Athenian comic author, perhaps the son of Agnon,<sup>5</sup> contemporary of Eupolis, Aristophanes, and Pherecrates, and had brought the mishap of the farmer upon the stage in a theatrical piece called the leathern-bottle-bearing ass. But this does not derogate from the force of the testimony, since the occurrence related, although founded upon no actual fact, must at least have been possible in accordance with existing circumstances at Athens, in order to become the subject of a dramatic

<sup>1</sup> Xenoph. concern. the Public Rev. 4, 49; Aristoph. Aearn. 896; Demosth. Olynth. I. p. 15, 20.

<sup>2</sup> Schol. Aristoph. as last cited explains ἀγορᾶς τέλος by the words τέλος ὑπὲρ ὧν ἐπώλησας, after he had said in the previous context: ἔθος ἦν τὸ παλαιόν, ὥς καὶ μέχρι τοῦ νῦν, τοῖς ἐν τῇ ἀγορᾷ πωπράσκοντες τέλος δίδοναι τοῖς λογισταῖς, that is, according to the schol. on vs. 720, to the agoranomoi.

<sup>3</sup> Schol. B. on Iliad φ. 203: καὶ ἐν τῷ ἀγορανομικῷ δὲ νόμῳ Ἀθηναίων διέσταλται ἰχθύων καὶ ἐχελύδων τέλος.

<sup>4</sup> Zenob. I. 74; Mich. Apost. II. 68. Comp. Diogenian and Suid. Vol. I. p. 98. Küst.

<sup>5</sup> Suid. on the word Δέκων, and particularly Toup Emend. in Suid. Th. II. p. 252, Leipz. ed. in opposition to the interpreters. With respect to the age in which he lived comp. among others Athen. VIII. p. 343, C. Athenaeus, Hesychius, and Suidas mention his comedy entitled Οἱ Φρύγιοι, the last also the Ὄνος ἄσκοφόρος, by which it was formerly supposed that two dramatic pieces were intended, Ὄνος and Ἀσκοφόρος. His Φρύγιοι are also mentioned in the didascalia to the Peace of Aristophanes, with which, and with the Flatterers of Eupolis it was at the same time represented.



piece. The story suggests at the same time the practice of collecting a duty at the gates, and in fact a duty collected at the gates (*διαπύλιον*)<sup>1</sup> in Athens is mentioned. This could hardly have been imposed upon the person. Nevertheless, it is not to be denied, that a tax was also collected in the market. To this conclusion we are led both by the mention of an agoranomic law, and also by the account of the scholiast, that the agoranomi, whom he calls *logistæ*, collected this tax, even in the later periods of the state. This, however, was certainly not done by them at Athens directly, but through under-servants.

Beside the state subordinate communities also collected a market tax (*ἀγοραστικόν*)<sup>2</sup> in the markets, which were connected with their festivals. Here we can conceive of no other place of collecting the tax than the market itself. Different from the market tax was the duty upon sales (*ἐπώνιον, ἐπώνια*), which the grammarians<sup>3</sup> mention from Isæus, without having any definite knowledge of its nature. Harpocration conjectures, that it was the fifth, of which as a tax he seems to have obtained information from other sources. So high a tax upon the sale of any articles whatever is incredible. The Byzantines imposed even as a measure of necessity a duty upon sales of only a tenth.<sup>4</sup> On the other hand, the account of another grammarian<sup>5</sup> is correct, that in the term a duty upon sales certain hundredths are comprehended, like the Roman *centesima rerum venalium* or *auctionum*. We know from documents extant,<sup>6</sup> that the hundredth was paid upon the sale of landed property, undoubtedly in all cases, not barely on sales at auction.

<sup>1</sup> Hesych. *Διαπύλιον* (as after proper correction it is written), *τέλος τι παρ' Ἀθηναίους οὕτως ἐκαλεῖτο*. *Διαπύλιον* is found in another signification as transit duty on corpses, which a subordinate vicegerent of Mausolus collected on dead soldiers, Aristot. *Œcon.* II. 2, 14.

<sup>2</sup> Decree of the Mesogeioi, *Ephem. Archæol.* 369; Curtius, *Inscr. Att.* No. 1.

<sup>3</sup> Harpocr. *Etym. M.* Suid. Phavorin. *Lex. Seg.* p. 255; Pollux, VII. 15. The signification which Phrynicius, p. 40, 7 of the *Lex. Seg.* gives, has no reference to the present subject.

<sup>4</sup> Aristot. *Œcon.* II. 2, 3.

<sup>5</sup> *Lex. Seg.* p. 255. *Ἐπώνια καὶ κηρύκεια*: *ἐπώνια μὲν τὰ ἐπὶ τῇ ὀνῇ προσκαταβαλλόμενα, ὥσπερ εἰκοσταὶ τινες · κηρύκεια δὲ τὰ τῷ κήρῳ διδόμενα ὑπὲρ τοῦ κηρύττειν τὰ τέλη πιπρασκόμενα*. The *κηρύκεια* according to this were collected at the sale of the duties; they were, however, undoubtedly paid on all sales at auction. It appears to me that *τέλη* has been omitted; it may be inserted after *προσκαταβαλλόμενα*.

<sup>6</sup> Beilage XVII.

## CHAPTER VI.

THE TWENTIETH. THE TENTHS. THE DIFFERENT KINDS OF THE  
LATTER.

BESIDE these regular duties, Athens from Olymp. 91, 4 (B. C. 413) imposed, instead of the tributes previously paid by the allies, the duty of the *twentieth* (εἰκοστή) upon exports and imports by sea in the states of the subject allies, hoping to raise a larger sum in that way than by the direct taxation of them.<sup>1</sup> These duties also were of course farmed. The farmers of them were called eicostologi (εἰκοστολόγοι).<sup>2</sup> When Aristophanes in the *Frogs* (Olymp. 93, 3, B. C. 406) inveighs against a corrupt eicostologus, who sent some goods, the exportation of which was prohibited, from Ægina to Epidaurus, it may be inferred that this arrangement, namely, the change of the tributes into the duty of the twentieth, was not abolished, but continued until the end of the Peloponnesian war. But since, however, this view cannot be maintained, because an example to the contrary is found, I am rather of the opinion,<sup>3</sup> that the twentieth at Ægina was a duty on exports and imports, imposed for the benefit of Ægina itself, whether it were already collected there before the change of the tributes into the twentieth, and upon the introduction of this change was merely resigned to the Athenians, so that it returned to Ægina upon the restoration of the tributes, or whether the duty was imposed by the Athenians instead of the tribute, and was afterwards retained by Ægina as a tax to the state. A twentieth as tax to the Æginetan state cannot appear strange, since such a duty seems to be mentioned even in relation to a district of Attica.<sup>4</sup>

<sup>1</sup> Thuc. VII. 28. For more definite information on this point, see the allgemeinen Bemerkungen über die Tributlisten, Abschnitt. III. in Vol. II. of the original of the present work. To this twentieth, and to the Byzantine sound duty mentioned in the subsequent context, Lex. Seg. p. 185, 21, refers: Δεκάτη καὶ εἰκοστή: οἱ Ἀθηναῖοι ἐκ τῶν νησιῶν τὰ τὰ ἑκάστην.

<sup>2</sup> Pollux, IX. 30; Aristoph. *Frogs*, 366.

<sup>3</sup> See the general remarks upon the lists of tributes, ut sup.

<sup>4</sup> C. I. Gr. No. 89.

The *tenth* (δεκάτη) collected at Byzantium by the Athenians, was a mere extortion. It was first introduced in Olymp. 92, 2 (B. C. 411), when Alcibiades, Thrasyllus, and the other Athenian generals who came from Cyzicus, caused Chrysopolis, in the territory belonging to Chalcedon, to be fortified. A custom-house for collecting this tenth (δεκατεντήσιον) was built, and thirty ships under the command of two generals were stationed there, for the purpose of tithing the ships which came out of the Pontus, as is related by Xenophon.<sup>1</sup> Polybius speaks of the vessels sailing to the Black Sea. Both are undoubtedly correct, since the tenth was paid both upon the cargoes conveyed into the Pontus, as well as upon those carried out of the same. That it produced a large revenue may be easily conceived, partly because the rate was high, partly because the strait was very much navigated. Byzantium, says Polybius,<sup>2</sup> possesses the most commodious situation on the sea of any commercial city. Against its will no vessel, on account of the uncommonly rapid currents in the straits, could either enter or sail out of the Pontus. For that reason it is more happily situated than Chalcedon, the city of the blind, the situation of which, at first sight, appears to be full as advantageous. Many hides, the most and best slaves, came from the Pontus, also honey, wax, salt meat, and salted fish. Oil and all sorts of wine were exported from Greece to the Black Sea. The countries situated on it sometimes parted with grain for foreign exportation, sometimes it was imported thither. But the only good passage, remarks the same historian, was by Bus and Chrysopolis; and for that reason the Athenians, upon the advice of Alcibiades, had chosen the latter for the site of the custom-house. By the defeat at Ægospotami, they were deprived of the duty in question. Thrasybulus restored it about the 97th Olympiad (B. C. 392), and farmed it to contractors for collection.<sup>3</sup> At that time it furnished the Athenians great resources for carrying on the war. The peace of Antalcidas

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<sup>1</sup> Hellen. I. 1, 14. Diodor. XII. 64, agrees with this account. In the determination of the dates I follow the computation of Sievers in his Comm. Hist. de Xenoph. Hell. p. 104.

<sup>2</sup> Polyb. IV. 38, and afterwards 43, 44.

<sup>3</sup> Xenoph. Hellen. IV. 8, 27, 31; Demosth. ag. Lept. § 48; and Ulpian on the same, and the notes of Wolf.

(Olymp. 98, 2, B. C. 387), probably effected its abolition again; and long afterwards (Olymp. 139, B. C. 224), the Byzantines themselves introduced, on account of pecuniary embarrassment, that toll on vessels passing the Bosphorus (*διαγώγιον, παραγώγιον*), which was the occasion of the war carried on against them by the Rhodians.<sup>1</sup>

Where stations, or houses for collecting the duty of the tenth (*δεκατεντήρια, δεκατηλόγια*) are the subject of discourse,<sup>2</sup> maritime duties are always to be understood. For the collection of this duty these particular establishments were requisite. Hence Pollux mentions the erection of them as only occasionally occurring. But when farmers of tenths, and collectors of tenths (*δεκατώναι, δεκατηλόγοι, δεκατενται*) are mentioned,<sup>3</sup> tenths of different kinds may be understood. In the first place there were tenths of the produce of landed property. As this tax was noted as a peculiarly important branch of revenue in the administration of the satraps, as it was generally diffused throughout despotically ruled Asia, being probably the most ancient tax paid to kings, as the Romans imposed it upon conquered countries; so the same was very frequently collected in Greece, but only as a tax upon a possession which was not a freehold, since the tenth was paid for the use of the property held by the tax-payer. In accordance therewith, the tyrant demanded the tenth from his subjects, because he was lord of the whole country which he had

<sup>1</sup> Polyb. in the subsequent context; comp. Heyne de Byzant. p. 15 sqq. The appellation *διαγώγιον* is found in Polyb. IV. 52, 5; the other one, *παραγώγιον*, in the same historian, IV. 47, 3. Also in the passage of the comic author, Philippides, in his comedy entitled *Συνεκπλέουσα*, quoted by Pollux, IX. 30, *παραγώγιον* means such a duty, although the words *παραγώγιον, ὡν ἐκφέρης, εἰσπράττομαι* might suggest the idea of export duty. But it cannot be known whether *ἐκφέρης* in the connection, from which the words above quoted were taken, did not have a signification entirely different from that of exportation. To export is properly denoted by the Greek word *ἐξάγειν*, not by *ἐκφέρειν*. To compel a person to sail to the place where the custom-house was situated, was denoted by the word *παραγωγιάζειν*, Polyb. IV. 44, 46, III. 2.

<sup>2</sup> Pollux, VIII. 132.

<sup>3</sup> The *δεκατώναι* were farmers of the duty of the tenth, the *δεκατηλόγοι*, collectors of the same. Both employments were often united in the same person. It appears that *δεκατενται* may designate persons who held both employments. Comp. Harpocr. on the words *δεκατενται* and *δεκατηλόγος*; Demosth. ag. Aristocr. p. 679, 26; Pollux, IX. 28; Hesychius on the word *δεκατηλόγοι*; Etym. on the word *δεκατεντήριον*; in this last article, however, every thing is confused. To collect the tenth was denoted by the word *δεκατείνειν*; Aristophanes in Pollux, IX. 31, *ἐλλομενίζεις ἢ δεκατενείς*; hence Hesych. *δεκατείνειν, τελωνεῖν*, to omit other grammarians.



subdued. Of this nature were the Sicilian tenths, which, even before the Roman dominion, were paid to the kings, and of the same nature many tenths imposed in Greece proper, as for example, the tenth of grain at Cranon in Thessaly.<sup>1</sup> So Pisistratus, as claiming to be proprietor of the whole country, or tyrant, subjected all the landed property of the Athenians to the tax of the tenth, and thereby became odious as a despot, although he might have made use of the pretext which a sophist in a fictitious letter ascribes to him, that the tenth was paid not for the use of him, the tyrant, but for defraying the expenses of the sacrifices, and of other departments of the administration, and of carrying on war.<sup>2</sup> The Pisistratidæ abated the tax to the twentieth.<sup>3</sup>

But, as in relation to a tyrant, all landed property was subject to the payment of the tenth, so in a republic many portions of real estate were subject to the same, because they were not freehold property, but only the use of them had been granted to the possessors. Thus the Athenian State received tenths from the public domains;<sup>4</sup> thus, in particular, the temples received tenths, of which there are many examples; as, for instance, the Delian god received many tenths from the Cyclades,<sup>5</sup> and in Ithaca Diana received the tenth from a piece of landed property, the possessor of which was bound to keep her temple in good repair,<sup>6</sup> and Xenophon at a certain period established the same regulation at Scillus. Such engagements arose for the most part from the piety of individuals, who consecrated estates to the deity, and thus yielded to them the ownership of the same, but retained, however, the use of them in return for an annual payment. The gods could also come, by conquest, into the possession of a right to collect tenths. Thus the Greeks

<sup>1</sup> Polyæn. II. 34.

<sup>2</sup> Respecting this tenth, see Meursius, Pisistrat. 6, 7, 9. Diog. L. gives the fictitious letter in the Life of Solon.

<sup>3</sup> *Εικοστή των γυνομένων*, Thuc. VI. 54. In the free constitution of Athens nothing of the kind is found. That the Roman tenths were imitated from the Attic, is a whimsical opinion of Burmann de Vect. P. R. II. and V.

<sup>4</sup> See Book III. 2, of the present work.

<sup>5</sup> Spanheim on Callim.; Hymn on Delos, 278; Corsini, Not. Gr. Diss. VI. p. CXVI.

<sup>6</sup> C. I. Gr. No. 1926. Xenophon erected a pillar having on it the same inscription at Scillus (Exped. of Cyr. V. 3, 3). The inscription found at Ithaca is an imitation of it, of rather a late date, but is not fictitious.

promised, after the successful termination of the Persian war, to impose the duty of the tenth, to be paid to the Delphian god, upon all the states which had assisted the enemy;<sup>1</sup> that is, to subject their landed property to the payment of that duty. Moreover, at Athens the tutelary goddess received the tenth of all booty and of prizes captured by privateers,<sup>2</sup> and also of certain fines<sup>3</sup> (while other fines were assigned to the temples entire), and, finally, of much, or of all of the confiscated property.<sup>4</sup> The tenths of the goddess are mentioned together with the fiftieths of other deities, and of the heroes of the tribes (*ἑπώνυμοι*).<sup>5</sup> The latter may have been deductions similar to the tenths, and are not to be confounded with the duty of the fiftieth.

## CHAPTER VII.

TAXES UPON PERSONS AND EMPLOYMENTS: TAX PAID BY ALIENS TO THE STATE FOR PROTECTION, TAX UPON SLAVES, STALLAGE, TAX UPON PROSTITUTES, ETC.

AMONG the direct and personal taxes, that paid by the domiciliated aliens to the state for protection (*μετοίκιον*), is the best known. This was by no means peculiar to the Athenian State,

<sup>1</sup> Herodot. VIII. 132; Diodor. XI. 3; Polyb. IX. 33, concerning Thebes. Comp. Xenoph. Hellen. VI. 3, 9.

<sup>2</sup> Demosth. ag. Timocr. p. 741, 3; Diodor. XI. 62; Lysias ag. Polystrat. p. 686; Harpocr. on the word *δεκαρέθειν*. Comp. Paciaudi, Mon. Pelop. Vol. I. p. 172 sqq.; Lakemacher Ant. Gr. sacr. p. 409. What Ulpian on Demosth. Mid. says respecting tenths of the goddess, which Aristophon retained for himself, as *φορολόγος*, is at all events a confused account. See, in regard to it, my "Abhandlung über zwei Attische Rechnungsurkunden," in the "Schriften der Akademie" of the year 1846, p. 25, of the separate impression.

<sup>3</sup> Comp. for example, Demosth. ag. Macart. p. 1074, 24.

<sup>4</sup> Judgment pronounced in the Lives of the Ten Orators, p. 226; Andocid. concern. the Myst. p. 48; Xenoph. Hellen. I. 7, 10. Comp. Book III. 14. Phot. on the word *ἀδεκατέστοι* mentions a tenth belonging to the gods; but what tenth?

<sup>5</sup> Demosth. ag. Timocr. p. 738, 5, together with Ulpian.

but was introduced in many places,<sup>1</sup> probably in all countries, where aliens were allowed to dwell under the protection of the state. In Sparta this was either not at all allowed, or was permitted under great restrictions.<sup>2</sup> At Athens a foreigner (*ξένος*) was allowed to dwell a definite number of days (as *πυρεπίδημος*) without being taxed. If he remained beyond that period he was considered as an alien under the protection of the state, or a domiciliated foreigner (*μέτοικος* or *ξένος μέτοικος*), and subjected to the payment of the tax for protection.<sup>3</sup> Every alien under the protection of the state at Athens paid annually, according to the testimony of Eubulus and Isæus, twelve drachmas.<sup>4</sup> The women paid, according to the latter, six drachmas, except in the case of a mother having a son who had already paid the tax. But if a son had paid it, the mother was exempt. Consequently only single women paid it, in whose families there was no adult man: and as the payment of the son exempted the mother, so no doubt that of the husband exempted the wife. For that the wives of the aliens under the protection of the state were required to make a separate payment for themselves is improbable, because then a widow, even when her son paid the tax, would also have been required to pay for herself. But it is said, in terms absolutely general, that when the son paid, the mother did not, nor, consequently, the widow. This tax was also farmed, since farmers of duties (*τελῶνται*) are mentioned in relation to it, as, for example, in the Life of Lycurgus, who reprimanded a farmer of the revenue, threatening him with the stocks, because he detained Xenocrates in custody for not paying the tax required

<sup>1</sup> Lysias ag. Philon. p. 873, 880 (respecting Oropus, which at that time was not in the possession of the Athenians), Lycurg. ag. Leocr. p. 152, 238, (respecting Megara); C. I. Gr. No. 1513 (respecting Tegæa); No. 2360, 10 (respecting Ceos); Demosth. ag. Aristocr. p. 691, 3 (respecting Ægina); and ag. Aphob. *ψευδομ.* p. 845, 19 (respecting Megara).

<sup>2</sup> If, namely, the *ἐφέστιοι*, C. I. Gr. No. 1511, belonged to this class.

<sup>3</sup> Aristophanes of Byz. in Boissanade's Herodian. Epimer, p. 287.

<sup>4</sup> Harpocr. on the word *μετοίκιον*, comp. Lex. Seg. p. 280. Hesych. on the word *μετοίκιοι*; Phot. who copied from Harpocr. on the words *μέτοικοι*, and *μετοίκων λειτουργίαι*; Pollux, III. 55. Nicephor. on Synes. de insomm. p. 402. The other account, namely, that ten drachmas were paid, found in Hesych. on the word *μετοίκιον*, and in Ammon. on the word *ἰσοτελής*, is founded merely upon an error of the pen.

of aliens for the protection of the state.<sup>1</sup> They are also mentioned in relation to this tax by the grammarians. Some assert that the payment of this tax for the protection of the state was obligatory upon the patron (προσώτης).<sup>2</sup> This agrees well with the character of the same, since he was, as it were, the surety of the alien under the protection of the state, of whom he was the patron, but by no means with the testimonies of ancient authors. For the body of the alien was considered as security for the tax, and if he was convicted before the poletæ of not having made the payment, he was sold.<sup>3</sup> Moreover, Harpocration, from whom Photius borrows, shows, particularly from the comic authors, that freedmen also paid this tax for protection. But Menander, he continues, says in two plays, "that beside the twelve drachmas *these* paid in addition three oboli, *perhaps* to the farmer of the duty." According to the context "*these*" can refer only to the freedmen, as Petit correctly understood it.<sup>4</sup> And, as it so frequently happens, Pollux and Hesychius, generalize the payment of the triobolon by extending it to all the aliens under the protection of the state. They also profess to know with certainty, the latter that it was designed for the farmer of the same, the former that the secretary received it. The cautious manner in which Harpocration expresses himself shows that no grammarian could be certain of the point in question: and why should a secretary, or even a farmer of the tax, receive a special payment in addition when the tax was farmed?

<sup>1</sup> Lives of the Ten Orators, p. 253; Vol. VI. of the Tübing. ed.; also Plutarch, Flaminin. 12, and Photius, Biblioth. Cod. 268, in the article on Lycurgus. Comp. also respecting Xenocrates, Plutarch's Life of Phocion, 29; and St. Croix. Memoir on the metoikoi in the Mem. de l'Acad. des Inscript. Vol. XLVII. p. 184 seq.

<sup>2</sup> Petit, II. 5, 1; also Lex. Seg. p. 298.

<sup>3</sup> Harpocr. from the speech ag. Aristog. I. p. 787, 27. An instance is there given of the sale of a woman who had no husband. The apartment where this sale was made was called the πωλήτήριον τοῦ μετοίκου (respecting this point comp. with the speech ag. Aristog. Suid. on the word Ἀριστογείτων). The poletæ had charge of the sale, Pollux, VIII. 99. Comp. Book II. 3, of the present work. The tax for protection itself was of course sold at auction in the same apartment. The place, which in the above-cited passages was called πωλήτήριον τοῦ μετοίκου, is by Plutarch, Flaminin. 12, called μετοίκιον, and also in the Lives of the Ten Orators, and by Photius, as must be inferred from comparison with the passage in the speech ag. Aristog. But probably this expression is founded upon a misunderstanding.

<sup>4</sup> Leg. Att. II. 6, 7.



The case must have been quite different, therefore, with respect to this triobolon paid by the freedmen. I shall soon revert to it. On the other hand, many aliens under the protection of the state, as the story of Xenocrates implies, enjoyed at Athens, as well as in other states, even although they were not isoteleis, an exemption from the payment of the tax for protection (*ἀτέλεια μετοικίου*).<sup>1</sup> Many, as will become evident in the sequel, were exempted even from the payment of duties on merchandise, and from tolls,<sup>2</sup> and from other public services and burdens. But this latter, namely, the exemption from the ordinary public services, seems seldom to have been allowed, since, at least according to Demosthenes,<sup>3</sup> scarce five persons were excepted from the obligation to perform these services, and what Diodorus<sup>4</sup> says in regard to the exemption of the aliens, under the protection of the state, and of the mechanics and artisans, must be a misunderstanding which arose perhaps from the circumstance that Themistocles had favored this class in another manner. If, therefore, we may consider the number of aliens under the protection of the state in the time of Demetrius Phalereus, which amounted to ten thousand, as an average number, and reckon in addition about one thousand women as payers of this tax for protection, it must have produced about twenty-one talents. The freedmen are included in the above number, although in the treatise on the Athenian State<sup>5</sup> they are distinguished from the aliens under the protection of the same.

Xenophon<sup>6</sup> says that, "whoever yet remembers how much the *revenue from slaves* produced before the Decelean war, will allow that it is possible to keep a large number of slaves." At that period many of them ran away; Thucydides reckons more than twenty thousand; the maritime wars carried off many: and, since they could easily escape from Attica, the Athenians probably restricted themselves in regard to the keeping and employing them, or even exported slaves. However that may have

<sup>1</sup> C. I. Gr. No. 87; Demosth. ag. Aristocr. p. 691, 3.

<sup>2</sup> Book I. 15, of the present work.

<sup>3</sup> Ag. Lept. § 16, 17.

<sup>4</sup> XI. 43.

<sup>5</sup> I. 10.

<sup>6</sup> Concern. the Revenues, 4: ὅσον τὸ τέλος εὔρισκε τῶν ἀνδραπόδων πρὸ τῶν ἐν Δεκελίᾳ.

been, Attica possessed more slaves before the Decelean war, than after it, and more revenue was derived from them. But by what means? barely through the duty of the fiftieth on the importation of them, or upon the purchase and sale of them? In that case the expression "*revenue from slaves*" would have been ill chosen. It appears more probable, that there was a tax upon the slaves themselves; and then this would be the only direct and regular taxation of a part of the property of the citizens, except the liturgiæ. But this tax, since slaves may not only be considered as chattels, but also as servants, may be regarded as a tax upon servants. But that such a tax upon slaves was introduced, seems to be confirmed by that very payment of the triobolon required from the freedmen. A heavy tax, to be sure, could not be paid on a slave without too much burdening the property of those who kept a considerable number of them, especially of the capitalists who worked the mines; but three oboli a head annually were a tax that could easily be borne. And the master appears to have paid that sum for every slave: of this tax that triobolon just mentioned which the freedman paid beside the tax for protection, was probably the consequence. He paid the latter by virtue of the new class into which he entered; but the state was unwilling to lose what it had formerly received from him. If this view is well founded, and the number of slaves in Attica be reckoned at 365,000, the annual tax paid to the farmer thereof amounted to about thirty talents.

From this example it may be perceived how limited is our knowledge even of Attic antiquities. Efface the few and indistinct traces of this tax upon slaves, and there would be nowhere an intimation that it ever existed. How many similar taxes and revenues may have been collected at Athens, of which we know nothing! In Byzantium fortune-tellers, who, according to the testimony of Isocrates and Lucian, did a profitable business, quacks, jugglers, and other itinerant practitioners of the magic art paid the third part of their gain<sup>1</sup> for permission to itinerate in the exercise of their arts, and persons of the same class in ancient times in other countries also were taxed.<sup>2</sup> Prob-

<sup>1</sup> Aristot. *Econ.* II. 2, 3.

<sup>2</sup> Casaub. on Suet. *Calig.* 40.

ably Athens likewise collected a tax from those who practised these arts.

Retail dealing in the market was by a law of Solon, renewed by Aristophon, prohibited to foreigners, among whom also the aliens under the protection of the state were reckoned. But since Demosthenes says of a woman who sold ribbons, that if it was desired to prove that she was not a citizen, but a foreigner, the record of the tolls collected in the market (*τὰ τέλη τὰ ἐν τῇ ἀγορᾷ*) must be searched, and it must be shown whether she had paid the *toll collected from foreigners* (*εἰ ξενικὰ ἐτέλει*),<sup>1</sup> it is evident that selling in the market was certainly allowed upon the payment of a special tax.

The most shameful of all taxes upon employments was the *tax upon prostitutes* (*πορνικὸν τέλος*). This was also introduced at Rome by Caligula, and not only continued under the Christian Emperors,<sup>2</sup> but to the disgrace of humanity it is collected even at the present time in Christian states. At Athens it was annually farmed by the council, of course through the *poletæ*. The farmers of it knew very well all those who made a business of this vice,<sup>3</sup> both men and women, since even the former, as under Caligula, were taxed as well as the latter. According to a passage of Suidas and Zonaras,<sup>4</sup> the *agoranomi* designated the price which each prostitute should take. If this is even incredible, it probably contains the truth, however, that the *agoranomi* determined the amount of their tax,<sup>5</sup> and that, as in the ordinance of Caligula, the rate of it differed according to the difference of their gain, or of the class in which they were comprised.<sup>6</sup> If citizens

<sup>1</sup> Demosth. ag. Eubulid. p. 1308, 9, p. 1309, 5. That the tax for protection cannot be understood among the *ξενικὰ* seems plain to me: much less could it be comprised among the *τέλη τὰ ἐν τῇ ἀγορᾷ*, unless the aliens under the protection of the state had, as such, the right which is in question, namely that of selling in the market.

<sup>2</sup> Burmann de Vect. P. R. XII.; Hegewisch on the Roman Finances, p. 213, p. 308 sqq.

<sup>3</sup> Æschin. ag. Timarch. p. 134, 135. The farmers of this tax also were *τελῶναι οἱ ἐξέλεγον τὸ τέλος*. To them refers, probably, the expression *πορνοτελῶναι* used by the comic author Philonides (Pollux, VII. 20, and the commentators), although Pollux IX. 29 mentions this word among the nicknames applied to farmers of taxes and duties in general.

<sup>4</sup> On the word *δίαγραμμα*.

<sup>5</sup> So Meier in der Att. Prozess, p. 91 seq.

<sup>6</sup> Sueton. Calig. 40. Ex captivis prostitutarum, quantum quæque uno concubitu mereret.

became so depraved as to engage in this occupation the tax was imposed upon them also, although citizens who pursued honorable employments paid no tax on their occupations. The laws, however, endeavored to prevent such self-degradation by excluding those who were guilty of it from offering sacrifices, and from holding public offices, and by other wise regulations.

Finally, the state possessed some revenues of minor importance, which reverted to it from its expenditures, and although they do not at all resemble those others above enumerated, yet they can nowhere be better mentioned than here. One of them was the hide-money (*δεγματικὸν*), or the money received from the sale of the hides, together with, probably, the offal and horns of the animals slaughtered for the great public sacrifices and feasts.<sup>1</sup>

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## CHAPTER VIII.

GENERAL REMARKS UPON THE TAXES, WHICH HAVE BEEN THE SUBJECTS OF THE PRECEDING CHAPTERS ; PARTICULARLY UPON THEIR COLLECTION, AND UPON THE PAYMENT OF THEM TO THE STATE.

THE Athenian State is not liable to the reproach, that the regular taxes, which it levied, were oppressively high. Other states appear to have levied much higher taxes ; as, for example, Cersobleptes in the Chersonesus imposed a duty of the tenth upon all commodities,<sup>2</sup> and Leucon, king in the Bosphorus, a duty of the thirtieth upon exported grain.<sup>3</sup> In Babylon all imports were subject to a duty of the tenth : but this regulation long before the time of Alexander had fallen into oblivion.<sup>4</sup> The inhabitants of Lampsacus, upon an occasion when the arrival of many triremes was expected, and, consequently, also a large sale of pro-

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<sup>1</sup> Beilage VIII. and VIII. b, together with the notes on VIII.

<sup>2</sup> Demosth. ag. Aristocr. p. 679, 24.

<sup>3</sup> Demosth. ag. Lept. § 26.

<sup>4</sup> Aristot. Econ. II. 2, 34.



visions, laid an excise of the half of the usual price upon all commodities.<sup>1</sup> Whether the method of collecting the taxes by farmers-general, to whom they were sold,<sup>2</sup> was disadvantageous to the state, is very doubtful. This regulation, however, was not peculiar to the Athenian people, but in all Greek countries, and also in the Macedonian kingdoms, and under the different Roman governments, the taxes were farmed. If the farming of them has its disadvantages, so has also the collecting of them by public officers. The farmers of the taxes entered, as Andocides informs us, into a conspiracy against the state, made terms by bribery with those who would otherwise have overbid them or by giving them a share in the contracts for farming the taxes which they obtained, or, as occurred in the case of Andocides himself, they even persecuted those who obtained such contracts in preference to themselves. But competition was not even in such cases entirely destroyed. It was otherwise indeed in the case related by Plutarch.<sup>3</sup> An alien under the protection of the state, who was worth not more than a hundred staters, became enamored with Alcibiades, and brought him the whole amount of his ready money, as an inducement to Alcibiades to requite his love. The love, and self-sacrificing disposition of the man pleased the noble youth. He invited him to dine with him, and after he had returned him the money, he directed him to overbid upon the following day the farmers of the taxes, whom he for a special reason hated. The poor man excusing himself, because the farming in question was an affair of many talents, Alcibiades threatened him with a flagellation. The man in consequence of this threat complied, and the next day at the sale of the tax in question in the market-place bid a talent more than had been offered by his competitors. Alcibiades himself, to the chagrin of the tax-gatherers, became his surety. The company of the farmers of the taxes, who were accustomed with the profits of the second contract for farming the same to pay the debts incurred through the first, seeing that the case was otherwise irremediable, offered the man money to induce him to desist from

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<sup>1</sup> Aristot. *Œcon.* II. 2, 7.

<sup>2</sup> This was expressed by the phrases *τέλη ἐκδιδόναι, πιπράσκειν, ἀπομισθοῦν*, Pollux, IX. 34.

<sup>3</sup> Alcib. 5.

his purpose. Alcibiades would not allow him to take less than a talent.

For the management of every tax three different descriptions of persons were requisite, the farmers of the same (*τελώναι, προήμεροι* or *ωρούμεροι τὸ τέλος*, seldom *μισθούμεροι*, except in the letting of landed property, not in the farming of duties), the sureties (*ἐγγυοι, ἐγγυηταί*) and the collectors (*ἐκλογεῖς*).<sup>1</sup> The last expression is ambiguous. Sometimes public officers are thereby designated, who in the name of the state collected the money of the same, and hence those who collected the tribute, which was never farmed, received this appellation;<sup>2</sup> and sometimes it has reference to those who in the name of the farmers-general collected the taxes or duties. Which of these significations is intended in each particular passage in which it is used, the interpretation of the same must determine. The sureties were required to be produced, as examples already quoted show, simultaneously with the acceptance of the contract. They were often probably participants in the profits. The heavier contracts were taken by companies, as Andocides, Lyeurgus,<sup>3</sup> and Plutarch show. At the head of these companies there was a chief farmer (*ἀρχώνης, τελωνάρχης*). Persons of high birth, who made much account of their nobility, did not undertake business of this nature, but the ordinary citizens, and even statesmen, as, for example, Agyrrius, the demagogue, and Andocides, the merchant and orator, very readily entered into such contracts. Aliens under the protection of the state also were allowed to undertake the farming of the duties and tolls, but the use of public property in fee-farm, as, for example, of the mines, was permitted only to citizens and isoteleis. The farmer of duties and tolls seems very frequently to have been at the same time collector of the same. The collectors seem commonly to have been inferior partners in the contract, although hired persons, or slaves of the farmers, may have been employed for this purpose. According to the different du-

<sup>1</sup> Law of Timocrates in Demosth. ag. Timoc. p. 713, 3; the oath taken by senators in the same, p. 745, 15.

<sup>2</sup> Harpoer. Suid. on the word *ἐκλογεῖς*; Lex. Seg. p. 245. *Ἐκλέγειν τὸ τέλος* is also used in this double sense.

<sup>3</sup> Ag. Leocr. p. 150. In this passage an action is mentioned of one individual against another for defrauding him with respect to his participation in the contract for farming the fifthah. Comp. also p. 179.

ties which they collected they had different names (*ἐλλμενισταί, δεκατηλόγοι, εἰκοστολόγοι, πεντηκοστολόγοι*, or in less correct Attic, *εἰκοστώναι, δεκατώναι*, etc.),<sup>1</sup> so also the offices where they received the payment of the duties (*τελώναι, πεντηκοστολόγαι, δεκατηλόγαι*, or *δεκατεντήρια*, and others).<sup>2</sup> These collectors kept their books,<sup>3</sup> arrested persons, and made seizures of goods.<sup>4</sup> Whether the sealing of goods, which was customary in later times,<sup>5</sup> was introduced as early as the period of the republic, I leave undetermined; but we find mention of all the other vexations connected with the collecting of duties and tolls; the close interrogation, and strict examination, and even the opening of letters: the last indeed only in Roman comedies, which, however, for the most part correctly represent Attic customs.<sup>6</sup> But fraud and smuggling could no more be prevented in that age than at the present day. In Attica the thieves' harbor (*γορῶν λιμήν*)<sup>7</sup> was probably used for those purposes. That the collectors themselves sometimes engaged in these practices is proved by the allusion of Aristophanes, in his comedy of the Frogs, to the illegal conduct of the *eicostologi*.<sup>8</sup> Their dishonesty and oppression brought upon them the very worst reputation.<sup>9</sup> The indignation and hatred, which the Roman officers connected with the collection of duties and tolls had excited, even induced the state, to the injury of its revenues, to abolish the collecting of duties and tolls in Italy.<sup>10</sup>

The legal relations of the farmers of the duties and tolls to

<sup>1</sup> Comp. Pierson on Moëris, p. 165.

<sup>2</sup> Pollux, IX. 28; Lex. Seg. p. 239.

<sup>3</sup> Comp. Book III. 4; Pollux, IX. 31.

<sup>4</sup> To notice but one passage on this point, see Demosth. ag. Mid. p. 559, 18.

<sup>5</sup> Comp. Barthél. Anach. Vol. II. p. 168.

<sup>6</sup> Plaut. Trinumm. III. 3, 64, 80; Menæchm. I. 2, 8; Terence, Phorm. I. 2, 100, together with Donatus, and Nonius on the word *telonarii*.

<sup>7</sup> See Palmer. Exercitt. p. 639; Lex. Seg. p. 315, *ἐνθα οἱ λησταὶ καὶ κακοῦργοι ὀρμίζονταί*. The gloss has reference to Demosth. ag. Lacrit. p. 932. From this latter passage it is evident that this harbor lay beyond the limits of the Attic emporium. No further information respecting it is to be derived from Demosthenes. The name itself, however, appears to me to render probable what I have said above. See Jul. Afric. Cest. p. 304, respecting the manner in which the collectors were to be deceived.

<sup>8</sup> See the passage in Chap. 6 of this Book.

<sup>9</sup> Pollux, IX. 29, 32.

<sup>10</sup> Concerning the Roman collectors of taxes and duties, compare with respect to this point Cic. ad Q. Fr. I. 1. Burmann de Vect. P. R. V. has already shown to what a minuteness of detail the Roman system of taxes and duties was extended.

the state were determined by the laws respecting the farming of the same (*νόμοι τελωνικοί*).<sup>1</sup> No doubt they also contained particular directions respecting offences against the laws regulating the payment of duties and tolls. That commodities which had paid no duties, and which the importers attempted to smuggle into the country (*ἀτελώνητα, ἀναπόγραφα*),<sup>2</sup> were seized in conformity with Athenian, as well as Roman law, is evident from an example already quoted. But since against violations, in general, of the laws respecting the payment of duties and tolls, a phasis was allowed,<sup>3</sup> in which method of prosecution the punishment was commonly estimated according to the injury sustained by the public or the individual, respectively, a severer punishment might be inflicted in case the circumstances were found to be of an aggravated nature. The father of Bion the philosopher was sold, together with his whole family, on account of a violation of the laws respecting the payment of duties and tolls.<sup>4</sup> But this occurred in Scythia, not at Athens. The farmers of the duties and tolls were exempt by law from military service,<sup>5</sup> in order that they might not be hindered in the collection of these taxes. When Leocrates, a partner in a contract for farming the fiftieth, seems, as is mentioned by Lycurgus, not to have offered this fact as an excuse for neglecting to perform military service,<sup>6</sup> he might have had a special motive for omitting it; namely, because the exemption from military service was granted, doubtless, only to the persons with whom the state had made the contract, but not to all the partners therein.

The payment of the sums stipulated for the farming of the taxes and duties (*καταβολὴ τέλων, τέλος καταβάλλειν, καταθεῖναι, διαλῦσαι, ἀποδοῦναι, καταβάλλειν τὰς καταβολὰς*)<sup>7</sup> was made in the council-house in the prytaniæ appointed for the purpose.<sup>8</sup> If the farmer did not observe the time of payment, it was ordained, that he should pay at the latest in the ninth prytania. If he neglected

<sup>1</sup> Demosth. ag. Timocr. p. 739, 29; p. 731, 1.

<sup>2</sup> The latter expression occurs in Pollux, IX. 31; the former in Zenob. I, 74.

<sup>3</sup> Pollux, VIII. 47.

<sup>4</sup> Παρισίωνησάμενός τι πανούκιος ἐπράθη, Diog. L. IV. 46.

<sup>5</sup> Speech ag. Neæra, p. 1353; Ulpian on Mid. p. 685, A.

<sup>6</sup> Lycurg. ag. Leoc. p. 179.

<sup>7</sup> Pollux, IX. 31, and in other authors frequently.

<sup>8</sup> Speech ag. Neæra, ut sup.



to pay within that period also, his debt was doubled, and if the debt thus doubled was not immediately paid, his property was forfeited to the state. That this was the law even before the time of the thirty tyrants, is proved by the following words of Andocides.<sup>1</sup> “After the fleet was ruined, and the city besieged, you deliberated upon measures for the promotion of unity among yourselves, and it was your pleasure to restore civil privileges to those who had been deprived of them. The proposal to do this was made by Patroclides. But who these persons were who had been deprived of their civil privileges, and in what manner each of them had been deprived of the same, I will inform you. To those persons, who owed the state money, who, namely, upon rendering their accounts after having held public offices, or on account of depriving some one of the possession of property (*ἐξοῦλαι* in its most extensive signification), or on account of instituting public prosecutions (in which, namely, the prosecutors had been nonsuited), or for fines imposed upon them (*ἐπιβολαὶ*), were bound to pay a sum of money, or who had taken a lease from the commonwealth, and had not paid the stipulated amount, or who had been sureties for others to the state;—to all these persons the term of payment was extended to the ninth prytania (*ἡ ἔκτιστος ἦν ἐπὶ τῆς ἐνάτης πρυτανείας*). If they did not pay then, they were obliged to pay twice the original amount of the debt, and their property was sold. This was one kind of the infamy incurred by a citizen in being deprived of civil rights and privileges.” Only one point is here left uncertain, namely, whether the infamy was incurred only after neglect of payment in the ninth prytania, or immediately, when payment was not made at the appointed earlier period. The latter was certainly the fact. The infamy was immediately incurred when the first term of payment was neglected, because

<sup>1</sup> Concern. the Myst. p. 35. Concerning the removal of the civil disabilities, comp. Xenoph. Hellen. II. 2, 11. Respecting the payment of double the original amount, see Liban. Introduct. to Demosth. ag. Timocr. p. 966, 2, and Demosth. himself, p. 705, 1. Respecting the *ἐξοῦλαι*, see Chap. 12 of the present Book. From these fines the *ἐπιβολαὶ*, and the money paid on account of instituting prosecutions (*γραφαί*) which were lost, as every one may perceive from what will be subsequently stated, were essentially different. Moreover, it must be inferred with great probability (I have good reasons for not saying “*with certainty*”) from Andoc. p. 45 seq., that the law concerning the public debtors was repealed in the archonship of Euclid. It certainly was in existence again at a later period, and was indispensable.

otherwise every one, who was indebted to the state, would have deferred payment until the ninth prytania: and the debtor could at the same time, by means of the imposition of an additional penalty (*προστιμίμημα*),<sup>1</sup> be thrown into prison.

Both these circumstances are evident from the speech of Demosthenes against Timocrates. The latter had proposed a law to prevent the imprisonment of the public debtors before the ninth prytania. By the enactment of this law, the orator said,<sup>2</sup> that he would annul the law which allowed the imposition of an additional penalty in certain cases, that is, he would take from the courts the right of judging, whether the case before them was one which required the infliction of an additional penalty, and would continue to the public debtors the enjoyment of civil rights and privileges. Evidently the infamy, together with the right of inflicting an additional penalty, are here supposed in relation to the period before the ninth prytania; and, beside that, the infamy was inseparably connected with the idea of a public debtor: but every man became a public debtor from the day on which payment should have been made by him, but was neglected. Finally, the law of Timarchus itself shows, that previously to its enactment the person, who was bound to pay, could be imprisoned immediately after the expiration of the first term. He was, therefore, upon non-payment at the expiration of said term, already a public debtor, and, consequently, subject to the penalty of the infamy. Indeed Timocrates did not even include the farmers of the revenues in his law, but would have the old laws applied to them. His design was only to favor some individuals connected with himself, who had retained in their possession moneys belonging to the state,<sup>3</sup> and he therefore proposed that "every one, who in accordance with laws previously in force had been condemned to imprisonment, or who should in the future, as an augmentation of his punishment, be condemned to the same, should be allowed to give surety for the payment of the debt; and that, if he paid the money, for the payment of which he had given surety, he

<sup>1</sup> See respecting this, Chap. 11 of the present Book.

<sup>2</sup> P. 729, 8. With respect to the interpretation of the words, ἀκυρὰ τὰ προστιμίμηματα ποτὶ, compare Herold. Animadv. in Salmas. Obs. ad J. A. et R. III. 3, 10.

<sup>3</sup> Demosth. in several passages, particularly p. 719, 26 sqq.

should be exempt from imprisonment; but if neither he nor his surety should pay the debt in the ninth prytania, that the person for whom surety had been given should be imprisoned, but the property of the surety should be forfeited to the state: in the case of the farmers of the revenues, however, and of the sureties of the same, and in the case of the collectors, of the lessees of public property, and of their sureties, that the state should collect the debts according to the ordinances previously in force. But if any person incurred a debt to the state in the ninth prytania," it was proposed "that he should be obliged to pay it in the ninth (or tenth) prytania of the following year."<sup>1</sup>

Allusion to the competence to imprison the farmers of the revenues even without a judicial sentence, which was required in other cases, (since imprisonment was an addition to the ordinary penalty), is made in the oath of the council of five hundred: "Also I will not cause any Athenian to be bound with fetters, who shall give three sureties possessed of property rated in the assessment-roll as equal to his own, except in case one is convicted of treason against the state, or is convicted of an attempt to subvert the democracy, or as a farmer of the revenues, a surety for the same, or a collector of a tax or duty has not paid the sum due from him."<sup>2</sup>

The object of the imprisonment was partly the greater security from escape by arresting the person, partly that the debtors might by the fear of it be induced to avoid neglecting the term of payment, and thus causing embarrassment to the state. And to prevent persons from inconsiderately becoming surety for others, the same punishments were inflicted upon the sureties as those to which the principals were liable.<sup>3</sup> The property of the temples also was protected by similar laws, since he who did not pay the rent due for the landed property of the gods and of the heroes of the tribes, himself, his whole lineage, and his heirs

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<sup>1</sup> Demosth. p. 1712, 17 sqq.; compare Libanius in the introduction. What is said, however, p. 696, 21, of the imprisonment of the debtor in the second year, with reference to the old law, is manifestly false, and is taken from the conclusion of the law of Timocrates itself. It appears to me that in the law *ἡ δεκάτης* should be erased.

<sup>2</sup> Demosth. ag. Timoc. p. 745, 12 sqq. Comp. Andoc. concern. the Myst. p. 45, and Demosth. p. 731, 10 seq.

<sup>3</sup> Comp. beside the passages already cited, the speech ag. Nicostrat. p. 1254, near the bottom, and p. 1255, 1.

incurred the penalty of infamy until the debt was paid.<sup>1</sup> Now that Timocrates in his mitigation of the main law was guided not so much by philanthropy as by a personal object, is evident, particularly from the exception to the prejudice of the farmers of the revenues. For since they, as Demosthenes<sup>2</sup> remarks, might even suffer damage in the execution of their contracts, the application of the new law to them would have been most equitable. Indeed the statesman who proposed this law was so inconsistent, that he had, even at an earlier period, himself prescribed in another law that those who should be condemned in certain prosecutions should be imprisoned until they paid the sums due from them.<sup>3</sup>

From this representation of the subject it is clearly manifest what opinion is to be formed of the passage of Ulpian<sup>4</sup> relating to this subject. "It must be known," he says, "that the farmers of the revenues at the very commencement of their contract gave sureties, so that if they neglected payment until the ninth prytania, either they or their sureties paid twice the original amount of the debt. And the same was the case with all debtors. As soon as they became indebted to the state, they were required to give sureties that they would pay the sum due before the ninth prytania, and they remained subject to the penalty of infamy until they paid. But if the ninth prytania arrived, and they had not yet paid, they were imprisoned, paid twice the original amount, and for this they could not again give sureties." The grammarian evidently confounds the old laws which existed previously with the proposition of Timocrates, which, besides, had no reference to the farmers of the revenues. The sureties which were given by the latter were obliged immediately to become security for the first payments even before the last term. The penalty of infamy was incurred and the competence to imprison the debtors arose immediately upon the neglect of

<sup>1</sup> Demosth. ag. Macart. p. 1069, near the bottom.

<sup>2</sup> P. 730, 20 *sqq.*

<sup>3</sup> Demosth. p. 720, 721. It is here of no consequence whether the law quoted in this passage is entirely genuine in its present form, since the essential particulars are evident from the orator's words.

<sup>4</sup> On Demosthenes ag. Timocr. p. 499. I omit what has been written by Suidas and others upon this subject, since they have nothing special or peculiar.



payment at the first term, and upon the arrival of the ninth prytania, the obligation to pay twice the original amount became imperative, and if this was not done, the confiscation of property followed. On the contrary, the proposition of Timocrates exempted the debtors of the state, with the exception of the farmers of the revenues, and of the lessees of landed property, together with their sureties, from liability to imprisonment, if they could give sureties at any time before the ninth prytania; and it allowed imprisonment only from the date of this last term. But, furthermore, it entirely abolished the doubling of the amount of the debt in relation to sums of money due which were not sacred, and also the augmenting of it tenfold with respect to sums due which were sacred, in cases in which the latter had been designated by law as the penalty for the offence.<sup>1</sup>

In what prytaniæ the payments due from the farmers of the revenues were directed to be made, we know not. According to Suidas and Photius<sup>2</sup> two terms were appointed for them; the first before the farmers commenced the execution of the stipulations of their contracts, and subsequently a second. What was paid at the first term was called the *payment in advance* (προκαταβολή), what was paid at the subsequent term the *additional payment* (προσκατέβλημα). This account, which rests upon the testimony of an ancient author, is highly probable. So in certain cases rents were paid to the districts and tribes sometimes in two payments, namely, in the first and sixth months, sometimes in three payments, namely, in the first, seventh, and eleventh months.<sup>3</sup> That there was a payment required in advance, at least immediately upon the entrance of the farmers upon the execution of the stipulations of their contracts, is hardly to be doubted. But the subsequent payments were perhaps divided into instalments, to be paid at several different prytaniæ.

A difficulty, however, arises from the manner in which Demosthenes speaks of those additional payments (προσκατέβληματα).

<sup>1</sup> Comp. upon this point, beside the passages above cited, Demosth. p. 726, 22 sqq.; p. 728, 1 sqq.; p. 730, 1-4; p. 732, 24.

<sup>2</sup> On the word προκαταβολή. According to Lex. Scg. (δικ. ὄνομ.) p. 193, 7, προκαταβολή is πρὸ τῆς προθεσμίας διδόμενον.

<sup>3</sup> See chapter 2d of the present Book.

For, in the speech against Timocrates,<sup>1</sup> he alleged in proof that by the new law of the latter the administration of the government of the state was exposed to danger as follows: "You have an excellent ordinance, which requires that those who have in their possession sacred money, or that which is not sacred, shall deliver the same in the council-house; and, if this be not done, that the council shall demand the payment of the same in accordance with the laws relating to the farming of the taxes, duties, and tolls. By means of this law the affairs of the commonwealth are administered. For," he immediately continues, "since the proceeds from the revenues are not sufficient for the administration of the government, the so-called additional payments are made from fear of this law. How would it be possible, then, to prevent the dissolution of the whole state, if the payments from the revenues (*αἱ τῶν τελῶν καταβολαὶ*) should not prove sufficient for the administration of the government, but there should be a great deficiency, and not even those payments which are made towards the end of the year should suffice; and if neither the council nor the courts should have competence to imprison those who did not make the additional payments, but the latter were allowed to give sureties until the ninth prytania? What should we do in the first eight prytaniæ?" Here the additional payments are opposed to the revenues; the laws relating to the farming of the latter appear to have been applied only to the additional payments;<sup>2</sup> and the revenue not to have been paid in full until toward the end of the year. If this is all correct, I acknowledge that I do not understand what these additional payments can have been. By the sacred money, and that not sacred, belonging to the state, which private individuals had in their possession, nothing else can be understood but the sums stipulated to be paid for the farming of the revenues, the rents of landed property, and fines. Among these moneys must be comprised, according to the words of Demosthenes himself, also the additional payments. That the latter were fines is, according to the letter of the expression, improbable. What could they have been, then, but sums, stipulated to be paid for farming the revenues and rents of landed property, which had not yet been paid?

<sup>1</sup> P. 730, 731.

<sup>2</sup> Comp. concerning this also, p. 732, 1, 2.

Does Demosthenes, then, when he speaks of the revenues, mean that only the sums paid in advance should be understood? This would be strange, particularly since he again says of the revenues, that they were not paid in full until toward the end of the year. Or can this last remark have been made with the presumption, that then, according to the law of Timocrates, the first payments also of the farmers of the public revenues, and of the lessees of the public property would not be made until the ninth prytania, since the farmers and tenants could give sureties until the arrival of that period? This would be an unprecedented piece of sophistry, since Timocrates particularly excluded the farmers of the revenues from the benefits of the new law. There is no other course than to suppose that Demosthenes spoke inaccurately, and that the additional payments, notwithstanding his representation, were nothing else than the subsequent payments as opposed to the first payment.

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## CHAPTER IX.

### FEES OF COURTS, AND FINES, PRYTANEA, PARASTASIS.

THE second class of the public revenues consisted of the fees of the courts, and of fines. These were by no means inconsiderable in amount. Alcibiades reckoned among the advantages which Sparta would gain by the fortifying of Decelea, this also, that the Athenians would lose the revenues from the courts,<sup>1</sup> since in an intestine war there would be a cessation of the administration of justice. If the matter in question had been an insignificant affair, Alcibiades would have but illy supported his

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<sup>1</sup> Thuc. VI. 91. The scholiast enumerates upon the occasion of this passage, very incompletely and inaccurately, the fines imposed in some actions, as in the prosecution for bribery (*δωροδοκίας*), in that for wanton and contumelious personal injury (*ὕβρεως*), for sycophantia, for adultery, for false registration (*ψευδογραφίας*, by which probably *ψευδεγγραφής* is meant), for unfaithfulness in an embassy (*παραπρεσβείας*), for desertion from the army (*λειποστρατίου*); since upon all these offences, according to the discretion of the court, heavier punishments also than fines might be inflicted.

proposal. The productiveness of these fees was increased by the obligation imposed upon the allies of seeking justice in Athens, and their receipt, on account of their appropriation to the payment of the compensation of the judges, was of great consequence to individuals, as an addition to their means of living.

The fees of courts, and fines, which are here to be considered are, in the first place, the four named together by Pollux : <sup>1</sup> *paras-tasis*, *epobelia*, *prytaneia*, and *paracatabole*. Of these, the first and third always fell to the state, the fourth probably in certain cases, the second never. Beside these there belonged to this class of the public revenues the penalties or damages assessed for offences (*τιμῆματα*), when the law directed that they should be incurred in the form of the payment of a sum of money, and the fines established by law when prosecutions were lost.

I will treat first of the *prytaneia* (*πρυτανεία*). These, as is well known, both parties were obliged before the commencement of the action, but not if the suit were brought before a *diatetes*, to deposit in court as among the Romans the *sacramentum*. If the plaintiff neglected to make this deposit, the suit was quashed by the officers, who brought it before the court (*οἱ εἰσαγωγεῖς*). The party which lost the suit paid both *prytaneia*, inasmuch as his own were forfeited, and he refunded his to the successful party.<sup>2</sup> The amount of the same was fixed in proportion to that of the sum claimed; in an action for sums of a hundred to a thousand drachmas, at three drachmas for each party; for sums of 1,001 to 10,000 drachmas, at thirty drachmas;<sup>3</sup> for larger sums, probably in the same progression. In reference to actions for sums less than a hundred drachmas no *prytaneia* are mentioned. Probably in these actions none were deposited. To this Valesius appears, with justice, to suppose that allusion is made in a proverbial saying preserved by Hesychius.<sup>4</sup>

<sup>1</sup> VIII. 37.

<sup>2</sup> Demosth. ag. Energ. and Mnesib. *ψευδομ.* in the passage soon to be cited; Pollux, VIII. 38; Harpocr. on the word *πρυτανεία*; and from him Suid. Phot. and Schol. Aristoph. Clouds, 1139.

<sup>3</sup> Pollux, VIII. 38.

<sup>4</sup> Hesychius on the phrase *ἀντὶ πρυτανείων*; Vales, on Harpocr. p. 165 d. ed. Gronov; Matthiae, on the other hand (Misc. Philol. Vol. I. p. 262), refers this to the *δίκη κακώσεως*. The action for personal injury might also be suggested. This will be subsequently considered.



The account of Pollux is, moreover, confirmed by two cases preserved in judicial speeches. Callimachus, as we find in Isocrates, had brought an action concerning a claim of ten thousand drachmas. The defendant interposed a *paragraphe*. But Callimachus abandoned the suit, that he might not be obliged to pay the *epobelia*, if the fifth part of the votes should not be given in his favor. After he had brought over the public officers, however, to side with him, he renewed the action, because he then thought that he incurred only the danger of forfeiting his own, and of being obliged to refund the defendant's *prytaneia*.<sup>1</sup> The defendant, on the other hand, had recourse to a law of Archinus. This law was passed at a period when many citizens after the return of the people from the Piræus were, contrary to the treaty of amnesty, accused of having in connection with the aristocrats done wrong. In order to secure these persons against malicious accusations it directed, that, if any person should be accused contrary to the oath of the amnesty, he could interpose a *paragraphe*, and that whichever of the two parties should then be found guilty of bringing such an accusation should pay to the other the *epobelia*. But the person represented as the speaker wished to show that Callimachus was violating the amnesty, in order that the malicious accuser might not merely incur the danger of losing the thirty drachmas.<sup>2</sup> Here these thirty drachmas manifestly appear to have been the *prytaneia*. But the speaker reckons only the *prytaneia* on one side, which Callimachus after losing the action would have to refund to him. Of the other *prytaneia* which Callimachus had already deposited, he takes no notice, because he only wished to contrast what would yet have to be paid in the two cases; namely, the *prytaneia* alone to be paid to the successful party in case no *paragraphe* had been interposed; and the same together with the *epobelia*; which, after the interposition of the *paragraphe*, were at stake.

Another case confirming the account of Pollux, is in the speech against Euergos, and Mnesibulus for false testimony to be found among the speeches of Demosthenes.<sup>3</sup> The person

<sup>1</sup> Paragr. ag. Callimach. 5-7.

<sup>2</sup> The same, 1-2, also 9 sqq.

<sup>3</sup> P. 1158, 20 sqq. Comp. p. 1162, 20. In a rather modern, and unimportant manuscript there is found in both passages, as a different reading, the sum 1,403 dr. 2 ob. Nothing can be made of this. Petit Leg. Att.V. 1, 9, as usual, confuses the whole sub-

represented as the speaker had in a counter-action brought against him by Theophemus been found guilty of inflicting a wanton and contumelious personal injury, and had been condemned to pay to his successful opponent 1,313 drachmas, and two oboli. There were expressly included in that sum thirty drachmas prytaneia, and the epobelía. The fine must have been a round sum, and have amounted to eleven hundred drachmas; and of this sum the epobelía made 183 dr. 2 ob.

According to the above account the opinion of some grammarians,<sup>1</sup> that the prytaneia were the tenth part of the sum assessed as penalty or damages, deserves not the least credit, especially since the cause of their falling into this error is easily perceptible. They speak, namely, of the plaintiff only, as depositing the prytaneia, whereas they were deposited by both parties. But in an action, in which an inheritance, or an heiress was claimed, the so-called paracatabole was deposited by only one party, namely, the plaintiff. This amounted to the tenth part of the damages assessed. The grammarians confound the prytaneia with it. This is shown particularly by Suidas, and the scholiast of Aristophanes;<sup>2</sup> by the latter in saying, that the prytaneia, which amounted to the tenth part of the assessed penalty or damages, were also called paracatabole; by the former, in

ject. Palmerius views it from the right point, without, however, correcting the first passage. In it instead of the incomplete *χιλίας μὲν καὶ ἑκατὸν δραχμῶς καὶ τρεῖς καὶ δύο ὀβολῶν τὴν ἐπωβελίαν* is to be written: *χιλίας μὲν καὶ ἑκατὸν δραχμῶς τὴν καταδίκτην, ὀδοήκοντα δὲ καὶ ἑκατὸν δραχμῶς καὶ τρεῖς καὶ δύο ὀβολῶν τὴν ἐπωβελίαν*. With respect to the position of the words, which has been chosen by me for a reason easily perceptible, compare, at least in one particular, Dinarchus in his life in Dionys. of Halic.: *χρυσίον μὲν στητήρας οδοήκοντα καὶ διακοσίους καὶ πέντε*. Respecting the action itself see the Att. Prozess of Meier, and Schömann, p. 613, and 653. The representation of the matter there given appears to me to be correct. Heffter Ath. Gerichtsverf. p. 432 sqq. gives a different representation. He also gives a different computation of the several sums, and hesitates with respect to the large amount of the principal fine of 1,100 drachmas. I acknowledge that I participate in this hesitation. Nevertheless, it appears to me possible, that this assessment of the penalty was a compound assessment of a fine for the injury suffered, and of another for the damage occasioned by the distress, or execution, by which the injury had been inflicted. That the plaintiff could, according to a subjective view of the case, include such damages in his assessment of the penalty for wanton and contumelious personal injury, appears to me unquestionable, since the assessment made by him was left to his own discretion.

<sup>1</sup> Pollux, as above cited; Hesych.; Annon.; and from him Thom. M. on the word *πρωταν*; also Schol. Æsch. ag. Timarch. p. 744, Reisk.

<sup>2</sup> Suid. on the word *παρκαταβόλη*; Schol. Clouds, 1258. Comp. with respect to these errors Petit also, Leg. Att. V. 1, 9.

applying the statement, that the paracatabole was the tenth part of the assessed penalty or damages, to the prytaneia in the Clouds of Aristophanes, and, particularly, by maintaining also the identity of the two. Both of them were so ignorant, that they could assert that creditors, in actions for moneys due to them, deposited the tenth part of the sum claimed, and that this was called prytaneia.<sup>1</sup> For this they are to be censured, on the one hand, because they always, in their account of the matter, speak of the tenth part, on the other, because they know nothing of the prytaneia except from the Clouds of Aristophanes.<sup>2</sup> Nevertheless, there was an occasion for this confounding of the prytaneia with the paracatabole in a usage of the language. Namely, by the latter expression, in its wider sense, was designated every sum of money deposited in court; hence the Etymologist, as the grammarians in the former case, pronounces the parastasis and the paracatabole to have been identical.<sup>3</sup> Consequently, the prytaneia may be understood under the designation of paracatabole in its more general sense, but they are not, therefore, the same as the paracatabole in its narrower signification: still less was the latter, as Maussac believed, accounted among the prytaneia.

Very closely related to the prytaneia was the parastasis (*παράστασις*, perhaps also *παρακατάστασις*). Thus was named the compensation of the *diætetæ*.<sup>4</sup> Of this compensation the words of Harpocration are to be understood; namely, that the parastasis was a drachma, which was deposited by those who carried on private lawsuits. On the other hand, there was another parastasis of an unknown amount, but probably a very small one, and in all cases the same, perhaps also only a drachma, and, doubtless, for the use of the state.<sup>5</sup> According to Aristotle,<sup>6</sup>

<sup>1</sup> Schol. Wasps, 657; Suid. on the words *πρυτανεῖον*, and *παρακαταβολή*.

<sup>2</sup> Verse 1181, 1257: The Schol. on the Clouds even says that the prytaneia were a drachma paid by each suitor into the public treasury, confounding them with the parastasis.

<sup>3</sup> Isocr. ag. Lochit. 3, with the notes of Vales on Harpocr.; Demosth. ag. Pantænet. p. 978, 20; Harpocr., Phot., and Suid. on the word *παρακαταβολή*; Etym. on the word *παρακατάστασις*.

<sup>4</sup> See Book II. 15, of the present work.

<sup>5</sup> From this fact the account given by the Schol. on the Clouds, 1192, which I quoted above seems explicable.

<sup>6</sup> The Athen. State in Harpocr.; Phot. on the word *παράστασις*. Comp. Phot. on the word *παρακατάστασις*.

when treating of public prosecutions, this parastasis was deposited with the thesmothetæ, when a foreigner was accused of having intruded himself among the citizens, (the action against foreigners, *γραφὴ ξενίας*), or, after such an accusation, was charged with having cleared himself by bribery (the action against foreigners for bribery, *γραφὴ δωροξενίας*), further, in actions for false enrolment among the public debtors (*ψευδεγγγραφῆς*), for false witness with respect to citation (*ψευδοκλητείας*), for conspiracy (*βουλεύσεως*), for improper erasure from a register of the public debtors (*ἀγραφίου*), and for adultery (*μοιχείας*). This is not a complete enumeration of the public actions.<sup>1</sup> Those enumerated appear to have been cited merely as examples, and it can hardly be conceived that, in the other actions brought by written accusation before the thesmothetæ (*γραφαί*), and in all other public actions, the parastasis was not deposited. The complainant alone, however, appears to have deposited it for the purpose of calling out his adversary, and introducing the suit.

The parastasis and the prytaneia were certainly never both deposited together; for each of them had the same object, namely, that of commencing the action. But it may be well to investigate in what cases the one or the other were to be paid. This has not yet been done by any writer. We assert, then, that, apart from the parastasis of the diætetæ, in private actions (*ἰδία δίκαι*) the prytaneia, and not the parastasis, were to be deposited; but that in public actions (*δίκαι δημοσίου, γραφαί*), on the contrary, the prytaneia were not deposited, but only the parastasis. The examples themselves show that the prytaneia were deposited in private suits, the parastasis in public actions. Thus the former were deposited in actions for debt: for example, the creditor of Strepsiades in the Clouds<sup>2</sup> threatens him with depositing the prytaneia. This regulation corresponded to the circumstances of the two cases. In a private action the plaintiff demanded of the defendant a sum of money, or its value in property, determined by law, or by his own estimation, for his own advantage. It was, therefore, just that the costs of suit should be deposited by him. In public actions, on the contrary, the determination of the amount of the prytaneia would have

<sup>1</sup> Comp. Matthiæ, *Misc. Philol.* Vol. I. p. 247 sqq.

<sup>2</sup> Verse 1257.



been subject to great difficulties, and would even have been in many cases impossible. If death, banishment, confiscation of goods, or infamy, were designated as the penalty, the amount of the prytaneia could not be estimated, since they were determined according to the amount of the money, or of the value of the property, in dispute. Also, the fines in public actions were subject to too great and frequent alterations. If prytaneia had been deposited for them, they could have been determined in each case only according to the complainant's estimate, in his declaration, of the amount of the fine to be imposed. If such had been the case, it would have been mentioned. When, for example, Æschines in his action against Ctesiphon for proposing an unconstitutional law (*γραγή παρανόμων*) estimated the fine, which in his judgment the accused ought to pay, at fifty talents, the prytaneia of both parties would together have amounted to a talent, and the losing party would have been obliged to pay them. But no occurrence of the kind is anywhere mentioned, although the much inferior loss of the complainant so frequently occurs, namely, that of the thousand drachmas, which he was obliged to pay if the fifth part of the votes of the judges were not given in his favor.

Besides, the complainant in a public case did not pursue his own advantage, and if he gained the suit the fine did not fall to him, but to the state, or whoever else may have been the injured party. It would not have been just, therefore, that he should deposit prytaneia. It was also against the interest of the state to oppose obstacles to the instituting of public actions by requiring the deposit of prytaneia prior to their commencement. The penalty of a thousand drachmas alone was imposed upon the complainant in the case mentioned above, namely, when he failed to obtain the fifth part of the votes in his favor, in order to deter from malicious accusation; and, in certain cases, perhaps the epobelía also, of which I will subsequently treat. But the parastasis seems to have been deposited as a symbolic act, denoting that the suit was thereby commenced. In other respects the state judged the public causes gratuitously, since they concerned its own interest, and it was compensated for it by the fines imposed.

There were, however, some public actions from which the

complainant, when he was the successful party, derived some advantage, and this was sought by him, at the same time that he prosecuted for the offence. In these cases the complainant on his part deposited prytaneia, but the complainant alone. Thus, for example, the law directed that he who should dig up olive trees, except a certain number and in certain specified cases, should pay to the state a fine of a hundred drachmas for each tree, and the same sum to the complainant; "but the complainant," to quote the words of the law, "shall on his part deposit prytaneia."<sup>1</sup> This action was a public one, and indeed a phasis; the fine for the offence, however, was determined by law. The interest of the community, not that of an individual, seemed to be injured by diminishing the number of the olive trees, and any one, therefore, could bring an action for the same. Since now the depositing of the prytaneia was expressly directed by this law, we perceive that in public actions this was commonly not required, because otherwise it would not have been necessary expressly to direct it. But the complainant alone was required to deposit them, because on his part an individual advantage was connected with instituting the action, in case he should succeed in the same, so that the suit was so far his own affair; as the Roman law made the action for the injuring of the prætorian album a private action (*causa privata*), but so, however, that any one could institute it (*in causa populari*). But the accused did not deposit prytaneia, since with respect to him the action was only a public one.

The same regulation prevailed in other kinds of phasis. This form of proceeding, beside being allowed in case of the purloining of public property, was also permitted with respect to offences against trade and commerce, and against the laws concerning tolls, duties, and mines, and for sycophantia, and in case of offences against orphans. In such cases any person could institute the action, even a party not personally injured by the offence. If such person presented himself as accuser in the phasis, who had no right to a private action on account of the offence, but who undertook the same merely as the representa-

<sup>1</sup> Πρυτανεία δὲ τιθέτω ὁ διώκων τοῦ αὐτοῦ μέρους, Law in Demosth. ag. Macart. p. 1074, 19

tive of the state, the pecuniary penalty assessed did not fall to him, if he overcame the accused in the cause, but to the party who had been injured;<sup>1</sup> for example, if the property of the state was injured, to the state; if the payment of tolls or duties had been evaded contrary to the laws respecting that subject, to the farmers of the same; if the property of orphans had been embezzled, to the orphans. Consequently, such a complainant could not deposit prytaneia, but only the parastasis; unless, as in the case mentioned above, a reward were offered to the complainant, if he should be successful. But in order to prevent frivolous or inconsiderate accusations, the complainant was liable to a fine of a thousand drachmas, and in certain cases perhaps to the penalty of the epobelia, if he failed to obtain the fifth part of the votes of the judges in his favor.<sup>2</sup>

But how was it when the injured party himself appeared as complainant? In this case we may conceive of two methods of proceeding. The matter which justified the resort to the phasis, might present a double aspect, and the complainant, whom it personally concerned, could in this case choose which of the two he would adopt; as, for example, a wanton and contumelious personal injury might be avenged either by a private (*δίωξη αἰτίας*), or a public action (*γραφὴ ὑβρεως*), according to the will of the complainant: so, according to Demosthenes, the law in very many cases designedly allowed, not only two, but even many kinds of actions, in order that every person might select according to his inclination and circumstances. For example, a private action, and of public actions, that by information in writing, that by apprehension of the culprit and by information in writing, and the ephesis, could be instituted for a theft, when the value of the property stolen amounted to more than fifty drachmas; and for impiety, four kinds of actions could be instituted; and so with respect to almost all other offences.<sup>3</sup> The correctness of this assertion is proved by the whole body of the Athenian law. So where a case occurred, in which private property was injured, of such a nature that a phasis might be

<sup>1</sup> Pollux, VIII. 48.

<sup>2</sup> See chap. 12 and 10 of the present Book.

<sup>3</sup> Demosth. ag. Androt. p. 601. Comp. upon this subject particularly Herald. Anim. IV. 7, 8.

instituted, it must have been left to one's choice to institute a phasis or public action, (and this a party not injured by the act in question, if he wished to institute an action, was always compelled to do), or only to found a private action upon the injury. By the former the complainant brought the accused into greater jeopardy, since in that case he might have been condemned not only to the payment of a fine, but also to imprisonment and death, and he also exposed himself to the danger of being compelled to pay the thousand drachmas, and perhaps the epobelía, if he failed to obtain the fifth part of the votes of the judges in his favor. In the latter case, namely, when the private action was instituted, the defendant was exposed to less danger, but the plaintiff himself was not in danger at least of being compelled to pay the thousand drachmas, but only the epobelía. With regard to the prytaneia, they would hardly be required in the former case, since the injured party presented himself entirely in the character of public accuser, and the fine which he received, if he succeeded in the action, would also have fallen to him if another person had been the complainant. But in the latter case prytaneia would certainly have been required, because the action would certainly have been entirely a private action.

The actions against guardians for injuring their wards may also be viewed under that double aspect. Nevertheless, the assertion that the ordinary action against guardians was also a public action, seems to be without foundation, and there appears to have been a difference, in actions against guardians, between the private and the public action, consequently, also the phasis, by virtue of which, under certain determinate circumstances, only the former, under others only the latter, could be instituted. Pollux,<sup>1</sup> to be sure, expressly declares, that the action against guardians (*δίκη ἐπιτροπῆς*) was a public action, and adds, that any person, even though not an injured party, could institute an action in behalf of injured orphans; and yet he calls it in another place a private action.<sup>2</sup> The author of an article in the Rhetorical Dictionary, considers the action for neglecting to let the property of

<sup>1</sup> VIII. 35.

<sup>2</sup> VIII. 31. Heraldus Anim. in Salmas. Obs. III. 4, 5, also takes the same view, namely, that the *δίκη ἐπιτροπῆς* was a private action.



an orphan, a phasis, but yet as a private action,<sup>1</sup> and the same is mentioned by Pollux, together with the action against guardians for otherwise injuring their wards, among the private actions.<sup>2</sup> Hence it might be inferred, that in these cases the option was allowed between the private and the public action. But of the action against guardians called *δίκη ἐπιτροπῆς*, it can only be shown that it was a private action. An action against guardians was the lawsuit of Demosthenes, of which a representation is given in the speeches against Aphobus. These have been placed by the arrangers of his works among the private speeches. Can they have been deceived in a whole series of speeches so important in the life of Demosthenes? By no means; although they erred with respect to other speeches.<sup>3</sup> On the contrary, it is manifest from the speeches themselves, that the suit was not a public but a private action. Demosthenes frequently complains, that he was liable to the danger of being compelled to pay the epobelía, for which his property was barely sufficient, and affirms that the regulation respecting it should not have been applied to him.<sup>4</sup> If the action had been a public one, namely, a phasis, he would also have spoken of the thousand drachmas so frequently mentioned. Or, in an action against guardians, can the phasis itself, perhaps, which in other cases was always a public action, have been a private action, with the only difference that any one could institute it? So the author of an article in the Rhetorical Dictionary<sup>5</sup> seems to have considered the matter, when he called the phasis a species of

<sup>1</sup> Lex. Seg. p. 313; comp. p. 315. Etym. on the word *φάσις*; Phot. on the same, particularly in the second article; and Epit. of Harpocr. in the commentators on Pollux, VIII. 47. On the *φάσις*, in reference to the letting of the property of orphans, see also the Lex. Rhet. in the English edition of Photius, p. 668.

<sup>2</sup> To this action, namely, the words of Pollux, VIII. 31, (*δίκη*) *μισθώσεως οἴκου* are to be referred. Hudtwalcker is mistaken in supposing (v. d. Diæt. p. 143) that the *δίκη μισθώσεως οἴκου* was the same as the action for house-rent (*δίκη ἐνοικίου*); since the difference between *οἶκος* and *οἰκία* in the Athenian law seems to have escaped him. Heraldus correctly perceived what *οἶκος* meant. See his Anim. in Salmas. Obs. III. 6, 10.

<sup>3</sup> For example, in the speech against Nicostratus, and in that against Theocrines. Neither of them, however, was composed by Demosthenes. Callimachus considered the latter one of Demosthenes's speeches; but Dionysius, together with the majority of critics, account it among the works of Dinarchus, and with justice among the public speeches. See his Life of Dinarchus.

<sup>4</sup> P. 834, 25; p. 835, 14; p. 841, 22; p. 880, 9.

<sup>5</sup> Lex. Seg. p. 313, 20.

public and private action, and indeed the latter in relation to the neglect of letting the property of orphans. But probably this was a misunderstanding, which arose from the facts that the same matter, under certain circumstances, might be the subject of a private action, or of a phasis; and that it was the will of the state that the offences of guardians against their wards might, in certain cases, be considered liable to prosecution in public actions, as well as crimes relating to the emporium, to taxes, duties, and tolls, to mines and to sycophantia, in order that orphans might enjoy greater protection. And it is remarkable that Photius, who in the main point agrees with the Rhetorical Dictionary, opposes, it is true, the phasis for embezzling the property of orphans to the public action, but yet does not expressly call it a private action; so that the collectors themselves of glosses, from whose chaos of materials it would be a Herculean task, or rather the task of Sisyphus, to restore the body of the Athenian law, seem not to have known precisely what to say. I am of opinion, that as in the Roman law the *actio tutelæ* of the ward against the guardian, at the end of his guardianship, for restitution of the property embezzled during the same, and so forth, was a private suit, and the *actio suspecti* of a third party against the guardian, who was unfaithful during the tutelage, was a sort of public (quasi publica) action; so in the Athenian law there was a distinction between the actions allowed against guardians, according to which the public action was an action brought by accusation in writing (*γραφῇ*) *ἐπιτροπῆς*, or a phasis *μισθώσεως οἴκον* on the part of a third person during the guardianship, but the private action nothing else than the proper *δίκη ἐπιτροπῆς*, and *μισθώσεως οἴκον* on the part of the injured persons after arriving at majority. In both cases, then, there could have been no option; not in the former, because in that case an action on the part of the persons injured is not conceivable, since they were minors; not in the latter, because the action was allowed only to an injured party.<sup>1</sup> And the grammarians seem to have been mistaken, on the one hand, when

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<sup>1</sup> See particularly "der Attische Prozess," by Meier and Schömann, p. 293 sqq. The speech of Lysias against Diogeiton also belongs, as I now acknowledge, to the category of the merely private action *ἐπιτροπῆς*, instituted after the arrival at majority of the complaining party.

they considered the *δίκη ἐπιτροπῆς* and *μισθώσεως οἴκον* as such, and without the closer limitation just mentioned, a public action, or as a phasis,<sup>1</sup> and on the other hand, when they considered the phasis, in actions against guardians, a private action.

It was otherwise in the prosecution of offences against the laws respecting the emporium; for example, in the lawsuit, a representation of which is given in the speech against Dionysiodorus. The accused party had, as the complainant signifies, not only injured him, but had also transgressed the laws relating to trade and commerce. An action could therefore have been instituted against him on account of the latter offence in the form of a phasis. But the whole speech shows, that the matter was treated only as the subject of a private action, and hence nothing is said of the possible loss of the thousand drachmas, but it is particularly mentioned, that the complainant, if he lose the suit, might be obliged to pay the *epobelia*.<sup>2</sup> Here it is indubitable, that the complainant had the option between a phasis and a private action, and preferred the latter. In this suit, and in that against Aphobus, we do not, it is true, find the *prytaneia* mentioned, but this need not perplex us, since the loss and restitution of them could hardly have been prominently mentioned as something remarkable, because they were deposited in all private actions except the *δίκη αἰκίας*. Apollodorus also remarks in the first speech against Stephanus<sup>3</sup> in an action for debt, in which it is certainly known from Aristophanes that the *prytaneia* were deposited, merely that he should have to pay the *epobelia* in addition, silently implying the loss and restitution of the *prytaneia*.

Heiresses (*ἐπίκληροι*) were under the special protection of the

<sup>1</sup> It may be perceived clearly enough with respect to Pollux, who calls the *δίκη ἐπιτροπῆς* a public action, (he alone, so far as I remember,) how he came to do so. After he had, in the enumeration of the private actions, mentioned the *δίκη ἐπιτροπῆς* and *μισθώσεως οἴκον*, he returns to it only incidentally in VIII. 35, in the words: *ἀπροστασίον δὲ κατὰ τῶν οὐ νεμόντων προστάτην μετόικων· ἄλλ' αὐτὴ μὲν δημοσία, ὥσπερ καὶ ἡ τῆς ἐπιτροπῆς· ἐξήν γὰρ τῷ βουλομένῳ γράφεσθαι τὸν ἐπίτροπον ὑπὲρ τῶν ἀδικουμένων ὀρφανῶν*. Here it accidentally occurred to him that any one might institute an action against a guardian, and, therefore, he thought that he must remark that the *δίκη ἐπιτροπῆς* was a public action, although he himself had previously acknowledged it to be a private action. The first statement he seems to have had from good authority; the accidental remark came from his own head.

<sup>2</sup> P. 1284, 2.

<sup>3</sup> P. 1103, 15, *προσφύλων δὲ τὴν ἐπωβελίαν*.

state. Hence when one claimed an heiress, whom another person wished to marry, alleging that he was better entitled to her as his wife than the latter person, the parastasis was deposited by him as in a public action.<sup>1</sup> One kind of actions, the *eisangelia*, on account of ill-treatment of the helpless, for example, of an heiress, of parents by children, and of orphans by their guardians (*κακώσεως ἐπικλήρον, γονέων, ὀρφανῶν*), which was instituted before the archon, was facilitated by the state above all others to that degree, that neither *prytaneia* nor *parastasis* were required to be deposited, and indeed, according to *Isæus*, even if not a single vote were given in favor of the complainant, he was liable to no danger.<sup>2</sup> Moreover, this was a public action, since any one could institute it, either by *eisangelia*,<sup>3</sup> or by the ordinary method of a bill of accusation (*γραφῆ*).<sup>4</sup> But when *Pollux*<sup>5</sup> classes it among the private actions, the cause of this probably lies again in the fact, that the same matter, upon which that public action might be founded, might be made the subject of a private action by the injured party; for example, by the minor after arriving at the age of majority.

Finally, there was another particular exception in the actions for wanton and contumelious personal injury. *Isocrates*<sup>6</sup> says that public and private actions (*γραφαὶ καὶ δίκαι*) might be instituted for a wanton and contumelious injury to the person (*ὑβρίς*), without depositing any sacramentum (*παρακαταβολή*), and that these were the only suits which were thus facilitated. Herein there is a slight discrepancy between him and *Isæus*. According to the latter, the *eisangelia* before the archon was the only action entirely free from risk. But according to the former, at least the private action for wanton and contumelious personal injury was completely free from risk, although not the public

<sup>1</sup> Andoc. concern. the Myst. p. 60.

<sup>2</sup> *Isæus* concern. the Estate of Pyrrh. p. 44, 45; and thence Harpoer. on the word *εἰσαγγελία*.

<sup>3</sup> *Isæus* as above cited. Comp. Demosth. ag. Pantän. p. 979 sqq.; Herald. Animadv. in Salmas. Obs. III. 14, 4; Mathiä, Misc. Philol. p. 234 sq.

<sup>4</sup> Speech ag. Theocrin. p. 1332, 14.

<sup>5</sup> VIII. 31.

<sup>6</sup> Ag. Lechit. 3. Comp. Vales on Harpoer. on the word *παρακαταβολή*; Sigon. R. A. II. 6. Whoever wishes to obtain ample information respecting the *δίκη αλκίας* and *ὑβριος*, let him read Heraldus, Obs. et Emend. Chap. 46-48, and his Animadv. in Salmas. Obs. ad I. A. et R. II. 9 sqq., and III. in various passages.



action for the same, which exposed the complainant to the risk of being compelled under certain circumstances to pay a thousand drachmas: unless in the former the epobelia was exacted, when the plaintiff failed to obtain the fifth part of the votes in his favor. In regard to this point we are not informed, at least by any authoritative testimony. Nor was it indeed by any means merely in actions for personal injuries that the depositing of a sacramentum was not required, but the same was also the case in the *eisangelia* above mentioned. Whether, however, the two orators contradict each other, or their statements may in some way or other be reconciled, thus much is certain, that neither in the action for wanton and contumelious personal injury, any more than in the case of which *Isæus* speaks, did the complainant or plaintiff pay any thing for the introduction of the cause. The object of this regulation was, according to the democratic, and, we may boldly say, truly humane principle, worthy of being recommended to general imitation, of assisting the poor and helpless in maintaining their rights, to grant to the poorest man the possibility of protecting himself against the arrogance of the rich and eminent in rank. For this reason the *prytaneia* in particular, which were deposited in other private actions, were not required in the private action for wanton and contumelious injury to the person.

Notwithstanding, we find in the speech against *Euergetes* and *Mnesibulus*, that the *prytaneia* were deposited in the action for wanton and contumelious personal injury, in which that speech was delivered. This action, which I have already mentioned, was, however, of a mixed kind. From this circumstance the solution of the difficulty may be derived. The person, in whose behalf the speech was composed, and his adversary *Theopompus*, had cudgelled each other. One of them instituted a private action for assault and battery (*δίκη αἰτίας*), and the other also instituted an action of precisely the same kind. It was therefore a counter-plea or cross-suit (*ἀντιρροή*). But the latter kind of action was particularly discouraged, with respect to both parties, by the regulation of the epobelia,<sup>1</sup> because a malicious prosecution by one of the two parties might be presumed from the institution of such an action; and for the same reason the favor, which was granted with regard to the private action for

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<sup>1</sup> Chap. 10th of the present Book, if my view is correct.

personal injury, namely, that it might be introduced without a pecuniary deposit, ceased, when occasion was given by the cross-action for the suspicion of a malicious prosecution. The first plaintiff who instituted a simple action for personal injury, deposited no prytaneia. But the party who instituted the cross-suit was required to deposit them, and, in consequence of this, then the first plaintiff also, who had now become defendant, was required to deposit them. If either party lost his cause in the process on the cross-action, his prytaneia fell to the state, and he had to refund to the successful party the prytaneia deposited by the latter.

These moneys the prytaneia and parastasis were appropriated, as the parastasis in the case of the diætetæ, to the payment of the compensation of the judges.<sup>1</sup> Of the prytaneia in particular, as the principal of these deposits, the tradition has been transmitted to us that from them the courts of justice were paid. The prytaneia have, therefore, been compared with the fees of the Roman courts, and this comparison has been supported partly by a reference to a jest of Aristophanes. This jest, however, does not prove, that the judges at Athens immediately received the prytaneia, as the Roman judges received their fees.<sup>2</sup> A comparison of those fees given by persons of rank in Rome, in money, or provisions, as marks of honor, with the entertainment in the prytaneum cannot be conceived. If we understand by the fees of courts, according to the Roman custom, what the judge immediately received, the prytaneia were not fees. But they were the substitute of fees, with this difference, that they, as often happens at the present day, fell to the state, and the latter paid the judges instead of allowing them to receive the prytaneia. Hence the prytaneia are classed by Aristophanes<sup>3</sup> among the revenues of the state, and the same thing is indicated by Suidas and Photius.<sup>4</sup> The presiding judge of the courts as-

<sup>1</sup> Treatise on the Athenian State, I. 16; Pollux, VIII. 38; Suidas; and Phot. on the word *πρυτανεία*. In the latter by the six thousand the judges are to be understood.

<sup>2</sup> Schol. Aristoph. Clouds, 1139; Suid. on the word *πρυτανείον*; glosses of the Basilica given by Kuhlmann on Pollux, VIII. 38; Casaubon on Athen. VI. p. 237, F, with reference to Aristoph. Clouds, 1200; Küster and Spanheim on the Clouds, 1182.

<sup>3</sup> See Book III. 1, of the present work.

<sup>4</sup> Suid. on the words *πρυτανείον* and *παρακαταβολή*, and Schol. Aristoph. Clouds, 1139, indicate the same thing. Respecting the colacratæ, comp. Book II. 6, of the present work, and respecting the compensation of the judges, Book II. 15.

signed them to the treasury of the state, and the colacretæ paid in return the compensation of the judges. For the colacretæ had the charge of the entertainment in the prytaneum, for which the prytaneia, as their name denotes, were originally designed, when actions were still introduced and received in the prytaneum;<sup>1</sup> and then the same officers at a later period had the charge of paying the compensation to the judges. But how many lawsuits must have been requisite to defray the expense of the compensation to the judges, which amounted to about 150 talents! In the treatise upon the Athenian State it is signified, that it was especially the lawsuits of the allies, which rendered it possible to pay the compensation of the judges from the prytaneia. Nevertheless, as has been previously remarked, additional funds must have been furnished from other sources, since it is inconceivable, that the prytaneia should have been sufficient to pay the compensation of the judges even in private actions alone; and, besides, the payment of compensation to the judges was only one of those democratic forms, under which the money of the state was to be distributed for the benefit of the people.

## CHAPTER X.

### DEPOSITS IN CASES OF APPEAL; THE PARACATABOLE; THE EPOBELIA.

ANOTHER kind of payment deposited in the courts was the one which was made, in the very few cases of appeal (*ἐφέσις*) allowed by the Athenian law, to be forfeited as a fine in case the appeal should prove to be groundless (*Succumbentz-geld*, Gr. *παράβολον*).<sup>2</sup> Concerning it, however, we have no accurate information.

<sup>1</sup> Πρυτανεία: πρόσδοσις εἰς τὸ δημόσιον κατασσομένη. Comp. Lex. Seg. p. 192, 17; Valesius on Maussac's Anm. üb. Harpocr. p. 326, Gron. ed., and Küster on the Clouds, 1134, have in general taken a correct view of the subject.

<sup>2</sup> Thus it was named by Aristotle; later writers called it *παραβόλιον*. Pollux, VIII. 63. Comp. Salmas. M. U. V. p. 198; Hudtwalcker on the Diæt. p. 127.

But very closely related to it was the paracatabole. This was a payment deposited by the person, who claimed (*ἡμφοισβίτησε*) either confiscated property from the state, or an inheritance from an individual or individuals which had been adjudged to the same; and the deposit was forfeited, if the depositor lost his suit. He, who claimed confiscated property, was required to deposit an amount equivalent to the fifth part of the property claimed (*τῶν ἡμφοισβιτουμένων*); and he, who claimed an inheritance, or property in possession of an heiress, to deposit an amount equivalent to the tenth part of the same, as paracatabole.<sup>1</sup> And indeed this deposit was required to be made when the action was commenced, or at the latest at the preliminary investigation of the cause (*ἀνάγκησις*).<sup>2</sup> The similarity of both cases to an appeal is derived from the fact, that every confiscation of property was founded upon a legal decision, and he, who claimed the same property, protested, if not against the decision in general, yet against its application to a certain definite object; and that further the paracatabole was deposited, in actions relating to an inheritance, chiefly in cases in which it was sought to appropriate an inheritance already adjudged to another person (*ἐπιδικαζόμενα*);<sup>3</sup> so that in such cases also there was a protest against a previous legal decision. Nevertheless, there were also some other cases in actions relating to inheritances, in which the paracatabole was deposited.<sup>4</sup>

But with respect to both kinds of the paracatabole the ques-

<sup>1</sup> Pollux, VIII. 39, 32; Harpocr. Suid. Phot. on the word *παρακαταβολή*; Lex. Seg. p. 290 (in Harpocr. with reference to Lysias, Hyperides, and other orators). Comp. Harpocr. and Suid. on the word *ἡμφοισβιτεῖν*, and, with respect to inheritances, Pollux, VIII. 32; Timæus Plat. Lex. on the word *παρακαταβολή*; and Rubnk. on the same article; Demosth. ag. Macart. p. 1051, 20; p. 1054, 27 (from a law); ag. Leochar. p. 1090, near the bottom; p. 1092, 20. Isæus speaks of it in several places: and in reference to this subject may be quoted, probably, what Didymus says in Harpocr. on the word *πρόπεμπτα*: εἰσὶ γὰρ οἱ τὰ πέμπτα τῶν τιμημάτων (he should have said τῶν ἡμφοισβιτουμένων) παρακαταβάλλεσθαι φασιν, ὥς Ἀρσίας ἐν τῷ κατὰ Ἀπολλοδώρου ὑποσημαίνει. All the rest of this article, as Valesius has already remarked in his notes on Maussac's work, is of no account.

<sup>2</sup> Comp. der Attische Process by Meier and Schömann, p. 603 sq.

<sup>3</sup> See Bunsen de Jure Heredit. Athen. I. 2, 3.

<sup>4</sup> Meier and Schömann, Att. Proz. p. 618 sqq. Whether in other actions also, beside those relating to inheritances, paracatabole was deposited depends upon the decision of the question, whether the word can be used in a more general sense or not. See upon this subject ante, p. 459; comp. p. 468.



tions arise, who received it when the person who deposited it lost the suit: and whether other costs of suit, and penalties, could be connected with it. In order to determine these questions the following remarks are necessary. There were three kinds of payments, which were required to be made in lawsuits: first the moneys deposited in court, as for example *prytaneia*, and *parastasis*, the loss of which was finally borne by the unsuccessful party; secondly, fines and damages (*τιμῆματα*), which the successful plaintiff received in private actions, in public actions, the state; except that in the *phasis* the injured party received the fine, and in certain private actions there was a fine imposed for the state in addition to the damages awarded to the successful plaintiff: finally indemnifications, which in certain suits the unsuccessful had to pay to the successful party for the jeopardy, into which he had brought him, as, for example, the *epobelia*. The *paracatabole* seems to have belonged to the last class. It was evidently introduced in order to protect the state, and legal heirs of property, as far as possible, from injuries on the part of inconsiderate and covetous claimants. Hence it must have fallen to the party, who was injured by the action, that is, where claim was made to confiscated property, to the state, in actions relating to inheritances, to the heir, or heirs. Accordingly, the other ordinary deposits in court beside the *paracatabole* were probably also required to be made by private persons, just as they were required in cases where no *paracatabole* was necessary; their number and amount being determined by the nature of the suit: although upon this point no information has been found. Furthermore, the depositing of the *paracatabole* could have been required only on the part of the plaintiff, that it might be forfeited as a penalty in case his litigation should prove to be malicious.<sup>1</sup>

Something must be said upon the *epobelia* (*ἐπωβελία*) also, since in the works of the more ancient learned authors as little clear and definite information is found upon this subject, as upon the other payments in legal processes and upon the

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<sup>1</sup> See however Schömann on *Isæus*, p. 463, for a particular case of an ἀντιπαρακαταβολή.

fines.<sup>1</sup> It was the sixth part of the damages assessed in a suit (*τίμιμα*), and was so called because for every drachma of the damages assessed an obolus was to be paid. Since its name itself expresses this, the best grammarians testify the same,<sup>2</sup> and the examples of the epobelia occurring in Demosthenes, which will soon be cited, indisputably prove it, the opinion which has been adopted by Hesychius and Eustathius<sup>3</sup> from ignorant writers, that the epobelia was the tenth part of the damages assessed, needs no refutation. It owes its origin to the confounding of the epobelia with the paracatabole, like that similar confounding of the prytaneia with the parastasis. The true point of view, under which this fine must be considered, is given by Harpocration, namely, that it was an additional penalty (*προστιμίμα*) fixed by law, not left to the discretion of the judges:<sup>4</sup> although in this account the questions still remain undetermined, in what actions, by whom, under what circumstances, with what connected, and to whom was it paid.

According to the Etymologist<sup>5</sup> the epobelia was introduced, because many persons had been maliciously prosecuted in relation to pecuniary matters, particularly to transactions in bottomry, or to contracts concerning maritime interest. For this reason the law, in order to prevent malicious accusation (*συνογραψία*), imposed upon the plaintiff the epobelia. It was required of those who instituted an action respecting a pecuniary matter (*χρηματικῇ δίκῃ*).<sup>6</sup> Here the same fact is indicated, which Isocrates mentions in the speech against Callimachus.<sup>7</sup> According to his account Archinus, after the termination of the government of

<sup>1</sup> Even that eminent scholar Heraldus in his *Animadv. in Salmas. Obs.* III. 4 (8-11), 5 (near the end) is unsatisfactory.

<sup>2</sup> Harpocr. Etym. Suid. Zonaras on the word *ἐπωβελία*; Lex. Seg. p. 255; Schol. Æsch. ag. Timarch. p. 744, Reisk.; Schol. Plat. Ruhnk. p. 239; Pollux, VIII. 39, 48; IX. 60. Comp. Salmas. M. U. S. 12 sqq.

<sup>3</sup> Hesych. on the word *ἐπωβελία*; Eustath. on the *Odys.* α, p. 1405, 27.

<sup>4</sup> Harpocr. on the word *προστιμίματα*; and thence Photius.

<sup>5</sup> And from him Suidas on the word *ἐπωβελία*.

<sup>6</sup> Schömann, *Att. Proz.* p. 733 sq. gives the particulars respecting these *χρηματικαὶ δίκαι*.

<sup>7</sup> In the commencement, comp. Chap. 15, 16, of the present Book. That the introduction of the epobelia was founded upon this circumstance may be inferred also from the mention of Archinus by the Schol. Æsch.

the thirty tyrants, introduced the epobelia into lawsuits, in which the right of instituting a paragraphe against the plaintiff was allowed to the defendant, in order to afford protection against malicious accusers. Precisely of this nature was the case mentioned in the speech of Demosthenes against Stephanus for false witness.<sup>1</sup> Apollodorus, the person in whose behalf the speech was delivered, had instituted an action against his step-father Phormio for a sum of money, which he claimed from him. Phormio, on the other hand, opposed him with a paragraphe, and Apollodorus, losing the suit, was condemned to pay the epobelia. But in pecuniary cases also, in which the paragraphe was not allowed, there was danger of being condemned to pay the epobelia, as is shown in the suit of Demosthenes against his guardians, and in the action against Dionysodorus for a sum of money lent and not repaid. There was the same danger according to Pollux in the phasis, and finally in the cross-action (*ἀντιγραφή*).<sup>2</sup>

That in actions for personal injuries an epobelia was introduced cannot be proved. The private action for the same (*δικὴ αἰτίας*) brought indeed only a fine as a consequence, but it essentially differed in several points from an ordinary pecuniary suit; and the only known case in which the epobelia was paid in a private action for wanton and contumelious injury to the person, stated in the speech against Euergus and Mnesibulus, was of the nature of a cross action, and consequently the epobelia was connected with it. In the public action for wanton and contumelious injury to the person (*γραφὴ ὑβρεως*) an epobelia is entirely inconceivable. When Æschines, in his speech against Timarchus,<sup>3</sup> supposes the case of a person instituting an action against a youth, the object of his sensual love, who by a written contract had sold the lover his chastity, and had not kept his promise, and with respect to such a case considers it just that

<sup>1</sup> Page 1103, 15.

<sup>2</sup> Pollux, VIII. 48, 58.

<sup>3</sup> Page 162. The principal sentence to which reference is here made is as follows : *ἔπειτα οὐ καταλευσθήσεται ὁ μισθοούμενος τὸν Ἀθηναῖον παρὰ τοὺς νόμους καὶ προσοχῶν ἄπειν ἐκ τοῦ δικαστηρίου οὐ τὴν ἐπωβελίαν μόνον ἀλλὰ καὶ ἄλλην ὑβριν* : the case here supposed was an *ἐταίρησις κατὰ σμνθήκας*. Such a case actually occurred. See Lysias ag. Simon. p. 147, 148.

the plaintiff should lose the cause, and be punished with death, "paying not only the epobelia, but also atoning for the contumelious injury," this must not be understood as if the complainant in public actions for injuries commonly paid the epobelia. For the action supposed would not be an action for injury, but a suit respecting a pecuniary matter, which, however, as null because the contract was illegal, must of necessity be lost. Viewing the action as relating to a pecuniary matter, the plaintiff must have been punished by being condemned to pay the epobelia, but the orator meant that he ought to be much more severely punished on account of his seducing and dishonoring an Athenian youth. In general the epobelia was imposed only in actions relating to pecuniary matters, and not in public actions, except perhaps in the phasis.

It may appear doubtful which party was bound to pay the epobelia, since the passages of the grammarians upon this subject contradict each other, and the more ancient authorities do not afford sufficient information with respect to it. By the law of Archinus each party, as well the plaintiff or complainant, as the party who had recourse to a *paragraphe* in his defence, was obliged when he was condemned to pay the epobelia.<sup>1</sup> Since the *paragraphe* was similar to the cross-suit,<sup>2</sup> it corresponds with what has just been said that in the cross-suit, an account of which is given in the speech against *Energus* and *Mnesibulus* for false witness, the original plaintiff, who had become the accused in the cross-suit, after he had in the trial of the same lost his cause, was obliged to pay the epobelia. So that in cross-suits not only the plaintiff, or complainant, but also the defendant or the accused in the same, was liable to be condemned to the payment of the epobelia.<sup>3</sup> Whether in these cases alone, on account of the suspicion of malicious action on the one side, and of malicious exception or counter plea on the other, each party was liable to be condemned to pay the *epoboe-*

<sup>1</sup> See Chap. IX. of the present Book.

<sup>2</sup> Pollux, VIII. 58; according to the principle: *Reus excipiendo fit actor*.

<sup>3</sup> In the *Attische Prozess* of Meier, and Schömann (see Chap. IX. of the present Book), it is, as it appears to me with justice, denied, that the original action was decided by the judgment given in the cross-suit. If this position is well founded, the epobelia cannot have arisen from the original action.



lia, or whether this was the case in other actions also, is uncertain. Pollux asserts, that in the phasis the unsuccessful party paid the epobelia, without distinguishing between complainant or plaintiff, and accused or defendant, and he makes the same statement respecting the epobelia in terms entirely general.<sup>1</sup> And indeed if in the phasis the accused or defendant, as well as the complainant or plaintiff, was required to pay the epobelia when he lost the suit, the accused or defendant must have been obliged to pay it also in every action relating to pecuniary matters, to which the penalty of the epobelia was attached, even if it was only a private action; because in the phasis the epobelia was added only in reference to the sum of money which the injured party was to receive from the accused or the defendant, merely in reference, therefore, to that which in the phasis was a private matter.

We have two examples showing that in private actions the plaintiff was required to pay the epobelia. From neither of them can it be concluded that the defendant, if he lost the suit, was not obliged to pay the epobelia. Darius and Pamphilus lent Dionysodorus three thousand drachmas on maritime interest. The latter violated the contract, and the laws relating to trade and commerce; "nevertheless," says the person represented as speaking, "he dares to present himself before the court, for the purpose of endeavoring, in addition to having cheated me of my money, to compel me to pay the epobelia also, hoping to carry it with him to his home."<sup>2</sup> The silence of the person represented as the speaker in this speech with respect to the point does not prove that the defendant, if he lost the suit, did not pay the epobelia. Demosthenes says in the first speech against Aphobus,<sup>3</sup> that if he himself loses the suit, he should be

<sup>1</sup> VIII. 48 and 39. In the former passage his words are: ὁ δὲ μὴ μεταλαβὼν τὸ πέμπτον μέρος τῶν ψήφων τὴν ἐπωβελίαν προσωφλίσκανε. Here the grammarian by the word προσωφλίσκάνειν indicates the additional loss beside the loss of the suit; so VIII. 58, ὁ δὲ ἀντιγραφάμενος μὴ κρατήσας τὴν ἐπωβελίαν προσωφλίσκανε. Demosth. ag. Steph. ψευδομ. I, p. 1103, 15, προσωφλὼν δὲ τὴν ἐπωβελίαν, and Æsch. as before cited. I call these passages to mind, that no one may adopt the opinion that the employment of the term προσωφλίσκάνειν, presupposes another fine. In the other passage of Pollux (39) the words are: ἐπωβελία δ' ἦν τὸ ἕκτον μέρος τοῦ τιμήματος, ὃ ὠφεῖλεν ὁ αἰρεθείς.

<sup>2</sup> Demosth. ag. Dionysod. p. 1284, 2.

<sup>3</sup> P. 834, 25.

obliged to pay the epobelia without its being assessed (*ἀτίμητον*); but that if Aphobus lost it, the latter would not be required to pay the fine imposed until after the assessment of the judges (*τιμῆτον*). This expression by no means excludes the possibility of Aphobus being condemned to pay the epobelia. Demosthenes had assessed the fine to be imposed upon Aphobus at six hundred minas. "If I am condemned," says he, "I will have to pay one hundred minas as epobelia without any assessment." For since he had himself assessed the amount to be paid, his assessment, in case he lost the suit, remained, and the epobelia was determined indirectly from it. If, on the other hand, Aphobus lost the suit, the fine to be imposed was not until then assessed; and consequently the epobelia also, which was conformed to the assessment of the fine. But Demosthenes did not need to give prominence to the latter point, if the payment of the epobelia was understood as a matter of course. On the other hand it is manifest, that nothing can be derived from the two examples in favor of the assertion of Pollux. On the contrary, other grammarians,<sup>1</sup> who together are to be considered as only a single witness, declare, that the plaintiff or complainant paid the epobelia to the defendant or the accused, when the former lost the cause. Upon a strict construction of their language, they do not expressly deny, that the defendant or accused also may have been obliged to pay it, but since it was originally introduced to guard against malicious accusations, they may have had only the plaintiff or complainant in mind, and hence state, that when he lost the suit he was condemned to pay the defendant or accused the epobelia, as an indemnification for the jeopardy into which he had brought him. A decision of the question, therefore, from the accounts which have been transmitted to us, is impossible. Nevertheless, I readily yield to the opinion of approved scholars, who, having investigated this subject, and possessing an intimate knowledge of it, are of the opinion, that the epobelia, as a general rule, was exacted only of the plaintiff or complainant who lost the suit.<sup>2</sup> An argument

<sup>1</sup> Harpocr. Etym. Suid. Lex. Seg.; Schol. Plat.; Schol. Æsch. as last cited.

<sup>2</sup> Att. Proz. by Meier and Schömann, p. 731; Heffter Athen. Gerichtsverf. p. 240 sqq. The expression used p. 113, 14-17, Vol. II. of the present work, in relation to the epobelia, is according to this view of the subject not to be understood of all cases.

also in favor of this opinion may be derived from the analogy of the public actions, in which the complainant was required to pay the well-known fine of one thousand drachmas for a groundless appeal. Moreover, the epobelia was imposed only when the fifth part of the votes were not given in favor of the party losing the suit,<sup>1</sup> and he could, therefore, be considered as specially guilty; exactly as in the case of the payment of the thousand drachmas.

But could the epobelia be connected with other payments in legal processes, or with fines? It was not a sacramentum, and was not deposited before the decision of the cause, nor paid until after the loss of the same, as is evident from the speech of Demosthenes against Euergus and Mnesibulus,<sup>2</sup> from the lawsuit against Aphobus, and even from Isocrates against Callimachus. Consequently, a sacramentum must necessarily have been deposited upon the commencement of the suit, and we know with certainty, for example, that in the first of the three private actions just mentioned, the unsuccessful party paid prytaneia and the epobelia, and in the one last mentioned the prytaneia were likewise paid.<sup>3</sup> Furthermore, a primary fine (τίμωρα) could be connected with the payment of the epobelia. This, however, was exacted only of the defendant or the accused, and indeed always of either, when he lost the cause. If he did not obtain the fifth part of the votes in his favor, he was required to pay also, as an appendage to the fine, the epobelia, so far as both parties could be liable to the payment of the same, in the sixth part of the sum which he was condemned to pay as a fine or damages. The plaintiff or complainant, on the other hand, in case he failed to obtain the fifth part of the votes in his favor, did not pay a primary fine, but only the epobelia upon the sum which he had assessed to be imposed as a fine or damages upon the accused or defendant. All these regulations are in conformity with the nature of the subject, as well as with the accounts of lawsuits transmitted to our times. Hence when Hesychius from Didymus calls the

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<sup>1</sup> Isocr. ag. Callimach. 5; Pollux, VIII. 48.

<sup>2</sup> Comp. chap. 9 of the present Book.

<sup>3</sup> See the same.

epobelia "a fine following the assessment of the lost cause,"<sup>1</sup> this refers merely to the determination of the epobelia in proportion to the fine or damages assessed upon the decision of the suit, since it was regulated for the plaintiff or complainant according to the sum which he had assessed to be imposed as a fine or damages upon the defendant or the accused; for him who had recourse to the *paragraphe*, in the same manner, and for him who instituted a cross-suit likewise according to the assessment of the main cause. On the other hand, we should not understand the grammarian correctly, if we supposed that the epobelia was also so far a consequence of the assessment or fine, that it was paid only when the fine itself or *timema* was imposed.

Finally, in the *phasis*, as being a public action, there was still a peculiar regulation, if we will not wholly refuse credit to Pollux, and entirely exclude the epobelia from the *phasis*. In this form of prosecution the accused was required to pay the primary fine, if he lost the suit. Whether he was required to pay the epobelia also on the same, if he failed to receive the fifth part of the votes of the judges in his favor, we know not, and it may be doubted. The complainant was obliged to pay to the state the ordinary fine of one thousand drachmas,<sup>2</sup> if he did not receive the fifth part of the votes in his favor, and then the epobelia also in case it was imposed in this form of action in general; the latter, from viewing the suit as relating to a pecuniary matter (*χρηματιστὴ δίκῃ*), the former, because it was a public action.

But then were both, upon the supposition just mentioned, imposed in every *phasis*, or not?<sup>3</sup>

The *phasis* was sometimes evidently a purely public action, when, for example, possession of public moneys, or of mines

<sup>1</sup> Ἀκόλουθον τῷ τῆς καταδίκης τιμῷματι ὄφλημα. Compare on this Schömann, as above cited, p. 731. We need not read with Salmas. M. V. p. 14, who in other respects has so justly corrected the passage as I have given it, and with Palmer. on Hesych. δίκης instead of the inexact καταδίκης.

<sup>2</sup> Speech ag. Theocrin. p. 1323, 19.

<sup>3</sup> Schömann, Att. Proz. p. 732, affirms this. Heffter, Ath. Gerichtsverf. p. 190, on the contrary, denies, in general, that in a *phasis*, any other fine was imposed for a groundless appeal than that of the one thousand drachmas, and charges Pollux with error. On account of the great uncertainty in which the subject is involved, I have made the whole investigation hypothetical, and I acknowledge that Heffter's view seems to me to be very consistent.



belonging to the state, which were not yet sold, had been improperly obtained; acts by which no private person was injured: sometimes it was of a mixed nature, partly public and partly private; as, for example, when an action was instituted on account of the embezzlement of the property of orphans. A purely private suit it could never be, since it would thereby lose the essential quality of the phasis, and would become a mere pecuniary action for indemnification for the damage inflicted. Now when the phasis was a purely public suit, its only object was to impose a fine for the benefit of the state, and there seems in this case to be no place for the epobelia, because it could be imposed only when a suit could be viewed as a private action for a sum of money, as its very origin shows, in order thereby to guard against malicious accusations, or at least the malicious withholding, under certain circumstances, on the part of the accused, of the property of another. Also in the speech against Theocrines there is no mention of the epobelia in relation to the phasis, just as there is no mention of the same in other public actions. It is, nevertheless, possible that in many kinds of phasis which were really of a public nature the epobelia was imposed when the subject of litigation was, as was commonly the case, a pecuniary matter, or some species of property. For there was, in relation to that form of action, if not always, yet, as a general rule, a reward or a share of the money or other property which was the object of the suit promised to the complainant, in case he should be successful in the prosecution; and, as we have seen, by the complainant to whom a reward was promised, prytaneia were also deposited. The complainant may, therefore, have been obliged to pay, in such an action, the epobelia upon the share of the money or other property in dispute which he received in case he succeeded in the suit. The law to which, in the speech against Theocrines, reference is made, proves nothing to the contrary, for it is merely a general law concerning the thousand drachmas in relation to public actions in general, and, consequently, also to the phasis. But if the phasis, without reference to a reward offered, was of a mixed nature, the object of the complainant or plaintiff was to procure the imposing both of a fine for the injured individual, as an indemnification, and also of a fine for the state, as a penalty for the infraction of its laws. In this case, probably, the epobelia,

if in general it was exacted in the phasis, was imposed in reference to the former fine; and the penalty of the thousand drachmas was incurred on the part of the complainant or plaintiff, in case he lost the suit, in reference to the public character of the action. Finally, if the injured individual instituted merely a private action in relation to a matter which was suitable for a phasis, the epobelia alone was exacted.

Hence, in fine, it may also be determined to whom the epobelia was paid. The grammarians<sup>1</sup> say, that the defendant or accused received it from the plaintiff or complainant, when the former gained the cause; whence it follows, of course, that when the plaintiff or complainant was successful he received it from the defendant or accused, so far as, as in the case of the paragraphe, for example, the latter was bound to pay it. And that in private actions, the epobelia fell, not to the state, but to the successful party, the ancient speeches which have been preserved fully prove.<sup>2</sup> If in the phasis the epobelia was really exacted, it could likewise fall only to the latter. The state, therefore, could in no case participate in the epobelia.

## CHAPTER XI.

### OF THE FINES (τιμώματα) IN GENERAL.

THE revenue of the state derived from the courts, was increased by the fines, so far as they fell to it. All the fines were called assessments (τιμώματα). By this term was understood the liquidation of all penalties which admitted of estimation, and also of indemnifications, because it was determined by assessment (τίμησις), and, through an abuse of the term, it was em-

<sup>1</sup> Etym. Suid. Schol. on Plato; Lex. Seg.: ἐλάμβανε δὲ τὴν ἐπωβελίαν ὁ φεύγων παρὰ τοῖς δώκοντος, εἰ τὴν δίκην ἀπέφευγεν. The schol. Æsch., as last cited, says, that the law of Archinus enacted that the prytaneia belonged to the judges, τὴν δ' ἐπωβελίαν τῷ δημοσίῳ πρῶτον (παρὰ) τοῖς μὴ ἔχοντος. This is evidently incorrect, as well as other statements in the same passage.

<sup>2</sup> Speech ag. Energ. and Mnesibul. p. 1158; Demosth. ag. Dionysod. p. 1284, 2.

ployed to signify the penalty itself. I will treat of them chiefly, but not exclusively, under the guidance of Heraldus, who has presented the subject comprehensively and in detail. I will consider, however, in conformity with my object, only what is absolutely requisite for the understanding of the whole subject, or is immediately connected with the public revenues. I will, therefore, omit the consideration of the assessed fines which did not consist of money, and, for the most part, also of the regulations relating to indemnifications, as foreign to my object.

All penalties, and consequently the fines also, were in part absolutely designated by law, in part indeterminate; finally, in part, absolutely designated indeed, but in different ways, from which the judges were obliged to make a selection.<sup>1</sup> A lawsuit, in which the fine to be imposed, in case the defendant or complainant lost the suit was determined by law, was called a suit not subject to assessment (*ᾠρὼν ἀτίμητος*). If the fine was to be assessed upon the decision of the cause, because the law had not determined the amount of the same, it was called a suit subject to assessment (*τιμητός*).<sup>2</sup> In all private actions with which no public offence was connected (*δίκαι πρὸς τινα*), but which related only to specific things, or which were designed to compel the fulfilment of obligations, there was no assessment.<sup>3</sup> The actions in which for any damage an indemnification was claimed were, with few exceptions, so far subject to assessment, that the amount of the damage was assessed by the plaintiff. Thus the law directed that, if the damage had been done involuntarily, simply the assessed amount of it should be paid, as indemnification; if it were done intentionally, double the same amount should be paid.<sup>4</sup> The law designated penalties absolutely in some private actions also, of which some public offence was the subject; as, for example, in the action for abusive language (*κακηγορία*), the penalty was fixed at five hundred drachmas.<sup>5</sup> On the contrary, in the private action for an assault and

<sup>1</sup> Herald. An. in Salmas. Obs. ad. I. A. et R. III. 1, 2.

<sup>2</sup> Herald. III. 2; Matthiä, Misc. Philol. Vol. I. p. 276-277.

<sup>3</sup> For more particular information, see Meier's and Schömann's Att. Proz. p. 184 sqq.

<sup>4</sup> Demosth. ag. Mid. p. 528, near the top.

<sup>5</sup> Isocr. ag. Lochit. 4; Lysias ag. Theomnest. p. 354. Comp. Matthiä, as above cited; Hudtwalcker, v. d. Diät. p. 149 sqq. and elsewhere. Lastly Meier, in the notes

battery (*δίκη αἰκίας*), the fine was indeterminate, and it was, therefore, a suit subject to assessment,<sup>1</sup> in order that the plaintiff and the court might proportion the amount of the fine imposed to the outrage inflicted. It could not consist of any thing, however, but money.<sup>2</sup>

In all private actions the fine fell to the plaintiff, so that with them we have no further concern. In the public actions, on the other hand, the state received the fine imposed upon the accused, except when the pecuniary affairs of private persons were involved in them; for example, in the phasis for the misdemeanors of guardians, or for the transgression of the laws relating to trade and commerce. In these cases the fine assessed fell to the injured party, when the complainant gained the suit. But beside this, in public causes, instead of a pecuniary penalty, the punishment of infamy, death, and the like, could be inflicted. Now all these public actions which have been specified, either were or were not, in determining the penalty to be imposed, subject to assessment. In the first case, for the most part, the complainant in his bill of complaint assessed the penalty to be imposed for the offence (*ἐτιμωσάτο, ἐτίμωσε*); the accused made a counter assessment of the same (*ἐτιμωσάτο, ἐτίμωσε, ἀντετιμωσάτο, ὑπετιμωσάτο, ἀνθυπετιμωσάτο*): but the court decided with respect to the assessment (*ἐτίμωσε* active), generally acceding to that of one or the other party. Nevertheless, the complainant could abate his higher assessment, and accede to that of the accused, and could from a spirit of clemency propose its adoption (*συνχωρεῖν*),<sup>3</sup> and the judges could decree one different from that of either the complainant or the accused, upon a special motion being made to that effect.<sup>4</sup>

This was the course of proceeding in many public actions, in which there were no definite penalties appointed for the accused, in case of his being guilty, and hence in the bill of complaint an assessment was inserted. Yet there were cases in such actions, in which the law left the complainant only the

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to the *Fragm. Lex. Rhet.* has discussed some controverted points relating to this subject.

<sup>1</sup> Harpoer. on the word *αἰκίας*, and what Matthiä adduces, p. 272, 273.

<sup>2</sup> Lysias, in the *Etym.*, and in Suidas on the word *ἐβρις*.

<sup>3</sup> Herald. III. 1, 10.

<sup>4</sup> Upon this point see in particular Schömann's *Att. Proz.* p. 724 sq.



option among several definite penalties, as, for example, in the action for bribery (*γραφῇ δώρων*), the law required, that the penalty either of death, or of ten-fold the sum received, should be inflicted.<sup>1</sup> In the phasis an assessment was necessary, in most cases, on account of the indemnification claimed, and we know from the accounts transmitted to us, that in that form of action an assessment was made.<sup>2</sup> In other public actions, on the contrary, there was no assessment made, because the laws had fixed the penalty. This, for the most part, was the case in the action instituted by information (*ἐνδείξις*).

Finally, the additional penalty (*προστίμια*), imposed as an aggravation of the punishment, must be distinguished from the original penalty. This was a penalty which the court, in certain cases, in which the laws or decrees of the people allowed it, could add according to their discretion, or which, in certain circumstances, followed as a matter of course; as, for example, the epobelía. The additional penalty was in some cases more particularly designated by law. Thus in cases of theft, when it was not punished with death, the additional penalty appointed was imprisonment in the stocks for five days and nights. It was left, however, to the discretion of the court, whether they would add it or omit it.<sup>3</sup>

To what extent private actions admitted of an assessment, has already been signified; namely, it was allowed with respect to almost all kinds of indemnifications, and in private actions for injury to the person. Of the former kind was the action for damages (*βλάβης*), the action against guardians, when it was conceived as a private action (*δίκη ἐπιτροπῆς* or *ἐπιτροπείας*), and other similar actions. The plaintiff in these actions made in his bill of complaint an assessment of the amount of his damage. Heraldus<sup>4</sup> has justly considered the assessment of a tal-

<sup>1</sup> Herald. III. 3, 1.

<sup>2</sup> Pollux, VIII. 47.

<sup>3</sup> Herald. III. 2, 9-14. The principal passage in the law of Solon is given by Demosth. ag. Timocr. p. 733 (comp. the explanation, p. 746, 12). According to it *μή* in Lysias ag. Theomnest. should be erased, but not as by Heraldus and Taylor changed into *μὲν*. There are, indeed, still other difficulties in this passage, which I at present purposely omit to mention, because they could be removed only by too diffuse explanations.

<sup>4</sup> III. 1, 14. The passage of Demosthenes is p. 1115, 25.

ent, which is mentioned in the speech of Demosthenes against Stephanus, delivered in the private action for false testimony (*δίκη ψευδομαρτυρίου*), as such an assessment of indemnification for damage. But not all lawsuits for indemnification were subject to an assessment of the same; for in some actions of that nature the law had already designated the fine to be imposed.<sup>1</sup>

With respect to the other case, namely, the private action for wanton and contumelious injury to the person, the regulations established concerning it are too remarkable to be omitted. Two kinds of action could be instituted for it, as in the Roman law. These did not at all differ with respect to the object, but only in the form and in the consequences. They were the public (*γραφὴ ὕβρεως*), and the private action (*δίκη αἰτίας*); because, by a wanton and contumelious personal injury, either the state, which felt itself and public freedom injured by the act of violence, in certain cases, even if a slave was beaten, might be considered insulted, or only the individual, according to the view and choice of the party interested.<sup>2</sup> If the latter preferred to make the

<sup>1</sup> Herald. III. 5; Meier and Schömann, Att. Proz. p. 187.

<sup>2</sup> It is remarkable, however, that also the *γραφὴ ὕβρεως* is sometimes represented to be a private action, because it, just as many other public actions, had reference not directly, but only indirectly to an injury done to the state, but first of all to an injury done to an individual. In this sense can Demosthenes, or rather Midias through him (ag. Mid. p. 522, near the bottom), call the *δίκη*, or more accurately *γραφὴ ὕβρεως ἰδία*, as contrasted with the *προβόλη* before the people. This latter must be considered an action for a wrong done directly to the state; for example, by disturbing a festival, or by injuring sacred persons or things, or the public officers (comp. p. 424, 425): since the *προβόλη* was directed against such offenders as had conducted themselves in such a manner as manifested ill-will toward the people, or had deceived them. Hence it was allowed against sycophantæ, and those who had injured the silver mines which still belonged to the state, and for embezzlement of the public moneys. (Comp. Taylor on Demosth. ag. Mid. p. 562 sqq., Reisk; App. Crit. Vol. I.; Mathiä, Misc. Philol. Vol. I. p. 238.) The meaning of the orator appears most clearly in p. 524, where he says, that he who had insulted a private man by an act of violence, or by words spoken, was prosecuted in a *γραφὴ ὕβρεως καὶ δίκη κακῆγορίας ἰδία*, but that if the offence was committed against a thesmothetes, the guilty party was at once infamous (*ἄτιμος*). Here also is the *γραφὴ ὕβρεως* considered as *ἰδία*, whether the *ἰδίαν* which has been added from the manuscripts refers merely to *δίκην κακῆγορίας*, or at the same time also to *γραφὴν*. The latter is grammatically possible, and is indicated by the context. The orator, therefore, was not ignorant, when he composed this passage, any more than when he composed other passages in his speeches, that the action *ὕβρεως* was a public action (*γραφὴ*); comp. p. 523, 18; p. 524, 21; p. 528, near the bottom. But, nevertheless, he has certainly expressed himself in a somewhat confused manner, as I have also remarked in my "Abh. über Demosthenes gegen Midias" (Schriften der Akad. of

matter the subject of a private action, the defendant could be condemned only to pay a fine, which fell to the plaintiff. And in this case it was required, that the latter should always be the injured party. If, however, the case was brought in a public action before the thesmothetæ,<sup>1</sup> (which could be done by an uninterested party also), the state took the whole penalty, even when it was a fine:<sup>2</sup> but even the punishment of death could be inflicted in this action.<sup>3</sup> Consequently, there was in the public action no private advantage for the complainant, but he was exposed to the danger, with the loss of the suit, of losing a thousand drachmas, if he failed to receive the fifth part of the votes in his favor. Only great hatred, therefore, or great disinterestedness, could induce a person to institute a public action for a wanton and contumelious personal injury. In both forms of action, however, there was an assessment made by the plaintiff or complainant.

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the year 1818), p. 15, and as I, in the immediately subsequent context, will show. From the very fact, that the *γραφὴ ὕβρεως* could relate, and in general did relate, to an injury done to a private person, is explained how Dionysius of Halicarnassus in the life of Dinarchus could class the speech of the latter against Proxenus (*ἀπολογία ὕβρεως*), among the private speeches. The phrase *γραφὴ ὕβρεως ἰδία* is found in another sense in the law quoted in Demosthenes ag. Mid. p. 529, 23 (Herald. II. 10, 12). The unjustly controverted words in the same, ὅσοι δ' ἂν γράφονται γραφὴς ἰδίας κατὰ τὸν νόμον, εἰάν τις μὴ ἐπεξέλθῃ ἢ ἐπεξίων μὴ μεταλάβῃ τὸ πέμπτον μέρος τῶν ψήφων, ἀποτισάτω χίλιας δραχμὰς τῷ δημοσίῳ, indicate an additional regulation, namely, that he also who, with respect to a matter which concerned himself alone, should institute a *γραφὴ ὕβρεως*, should be liable to the penalty of the thousand drachmas, the same as if a third party had instituted the action. This additional regulation was just as appropriate as the one mentioned in chap. 9th of the present Book, namely, that in a certain kind of phasis the complainant should deposit prytaneia. For both in the former, as well as in the latter case, the point in question, without such express regulation, might seem doubtful. That the use of *ἰδία* in the law is different from its use by Demosthenes himself, is manifest. For in the law a *public action ὕβρεως proper* is the subject, but by Demosthenes himself the *γραφὴ ὕβρεως*, not merely in the less decisive passage p. 524, but also in p. 522, near the bottom, is designated a *private action in contrast with a public action*. And herein lies certainly a confusion of ideas, since the orator indeed acknowledges, that the action *ὕβρεως* was a *γραφὴ*.

<sup>1</sup> Matthiä, Vol. I. p. 247, 249.

<sup>2</sup> Comp. beside Heraldus, in particular, Demosth. ag. Midias, p. 528, 27; Pollux, VIII. 42.

<sup>3</sup> Lysias in the Etym. and Suidas on the word *ὕβρις*; and more in Meier and Schömann, Att. Proz. p. 319. Comp. also Petit. VI. 5, 4.

## CHAPTER XII.

## EXAMPLES OF DIVERSE FINES.

IN order to render it in some degree possible to form a judgment, whether the Athenian State received a considerable revenue from fines, it will be appropriate to quote some examples of them. A complete enumeration of them would be as useless, as it would be fatiguing.

Since I treat first of fines of a fixed amount, which were paid partly into the public treasury, partly into the treasuries of various temples, I remark, in advance, that in the laws of Solon, because money was at that period valued at a high rate, the fines were of a very small amount.<sup>1</sup> For example, he who insulted another in sacred places, or in courts, or in public offices, or at a *theoria*, or at a celebration of any of the sacred games, paid, according to the laws of Solon, to the insulted person three, to the state two drachmas: just as in the laws of the twelve tables, as is well known, the fines were likewise inconsiderable. On the contrary, he who at Athens in later periods was found guilty by a judicial verdict of having used abusive language, was required to pay five hundred drachmas to the plaintiff or complainant. I do not assert that the latter law succeeded in place of the former: but that the former contained an entirely different scale of fines from the latter is evident, and the latter cannot possibly be so old as the former. To that ancient period may probably be ascribed the law, according to which he who made use of the land within the Pelasgicum, was required to pay three drachmas.<sup>2</sup> And, according to the standard of later times, the fine of a hundred drachmas, which by the ordinance of Solon the archon was required to pay, if he did not pronounce a curse upon exportation, was also low.<sup>3</sup>

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<sup>1</sup> Plutarch, Solon, 23.

<sup>2</sup> Pollux, VIII. 101.

<sup>3</sup> Plutarch, Solon, 24.



But, on the contrary, it may be asserted of those later times, that the fines were very high. If the prytaneis did not, as was prescribed, hold the first assembly of the people appointed for the epicheirotomia of the laws, or the proëdri in said assembly did not propose the business prescribed, every prytanis was obliged to pay a thousand, every proëdrus forty drachmas, consecrated to Minerva, and an information (*ἐνδειξις*) could be brought against them, if they did not pay these fines, as against public debtors, who had held public offices.<sup>1</sup> If one of the officers, who had charge of the superintendence of weights and measures, neglected his duty, he was required by a decree of the people, passed in one of the later periods of the state, to pay to Ceres and Proserpine a thousand drachmas.<sup>2</sup> If any person falsely registered the property of a citizen, as belonging to the state, he was obliged to pay a thousand drachmas;<sup>3</sup> judging from analogy, of course, only when in an action to recover the property for the state he failed to receive the fifth part of the votes of the judges in his favor. When the demarchus did not perform his duty with regard to the burial of a corpse found in his district, he was obliged to pay into the treasury of the state a thousand drachmas.<sup>4</sup> If an orator conducted himself improperly in the council, or in an assembly of the people, he could be condemned to pay a fine to the amount of fifty drachmas for each instance of misconduct; and this could be increased to a higher sum according to the discretion of the council, or people, as the case might be.<sup>5</sup> The fine was collected for the treasury of the state by the practores. A male citizen, who lived with an alien in the marriage relation, was obliged to pay, if he were convicted,

<sup>1</sup> Law in Demosth. ag. Timocr. p. 706, 25. Comp. Suid. and Zonar. on the word *ἐνδειξις*; Liban. Argum. of Demosth. ag. Androt. and inconnection there with Meier and Schömann's Att. Proz. p. 243; Heffter's Athen. Gerichtsverf. p. 202.

<sup>2</sup> Beilage XIX. § 2. Juno also received large fines; as, for example, a thousand drachmas, Demosth. ag. Macart. p. 1068, 10; and also the eponymi of the tribes. Thus Theocritus, for example, was condemned to pay to the eponymus of his tribe, seven hundred drachmas for rendering an incorrect account, speech ag. Theocr. p. 1326, 6.

<sup>3</sup> Suid. on the word *ἀμφιορκία*, speech ag. Nicostratus among the speeches of Demosthenes, p. 1246, 9. This penalty was imposed in a *δίκη ἀπογραφῆς* when lost, as in other public actions when the complainant was unsuccessful. Comp. Harpocr. on the word *ἀπογραφῆ*; where a doubt is expressed against the genuineness of the last-mentioned speech.

<sup>4</sup> Demosth. ag. Macart. p. 1069, 22.

<sup>5</sup> Æschin. ag. Timarch. p. 59 sqq.

a thousand drachmas :<sup>1</sup> a law which indeed was not always executed. If any person dug up olive trees, that is, more than the number allowed by law, he was required to pay to the state for each a hundred drachmas. Of this fine a tenth fell to Minerva.<sup>2</sup> A woman who behaved indecently in the street paid one thousand drachmas.<sup>3</sup> If a woman rode to Eleusis in a carriage, she incurred, according to a law of Lysurgus, a penalty of a talent.<sup>4</sup> If any person brought a foreign dancer upon the stage, he was obliged to pay, in the age of Phocion, a thousand drachmas for every dancer thus exhibited by him; but only when it was done in the theatre of Bacchus in the city. Demades exhibited one hundred such dancers, and at the same time paid one hundred thousand drachmas.<sup>5</sup> I will omit the particulars of the other fines of fifty, and of a thousand drachmas in relation to foreigners in the choruses.<sup>6</sup> For the embezzlement of public money the penalty was fixed at double, of sacred money at tenfold the amount embezzled.<sup>7</sup> If a person was accused of having neglected to pay a fine imposed by a court, or of withholding possession of property adjudged to a plaintiff in a cause at law, and was convicted in the suit (*δίκη ἐξούλης*, *actio judicati*), the state received from the defendant the same amount as that which was to be paid to the plaintiff.<sup>8</sup> The same regulation applied to the case where the defendant was convicted of forcibly depriving another of the possession of property.<sup>9</sup> The treasury of the

<sup>1</sup> Demosth. ag. Neæra, p. 1350, 23.

<sup>2</sup> Demosth. ag. Macart. p. 1074, 19.

<sup>3</sup> *Ἀκοσμεῖ*. See Harpocr. on the phrase *ὅτι χιλίας*, and what has been borrowed from him in other collections of glosses.

<sup>4</sup> Petit, I. 1, 17.

<sup>5</sup> Plutarch, Phoc. 30.

<sup>6</sup> See Petit. III. 4, 5.

<sup>7</sup> Demosth. ag. Timocr. in several passages.

<sup>8</sup> Hudtwalcker, v. d. Diæt. p. 137 sqq.

<sup>9</sup> Hudtwalcker as above, p. 135, note, wishes to confirm the statement of the last-mentioned regulation by the words of Demosthenes ag. Mid. p. 528, 17 : *ἂν δὲ μικροῦ πᾶν τιμήματος ἄξίων τις λάβῃ, βία δὲ τοῦτο ἀφέληται, τὸ ἴσον τῷ δημοσίῳ προστιμῶν οἱ νόμοι κέλευονσιν ὅσων περ ἂν τῷ ιδιώτῃ*. My reason for rejecting this alleged confirmation will be perceived in the remarks, which follow : but the fact itself I do not doubt, because depriving of possession was always considered as an act of violence, even when a creditor was merely prevented from taking possession of the property mortgaged or hypothecated, to the possession of which he had the right by the terms of the mortgage or hypothecation, or when this pledging and preventing from taking possession, were merely fictions of law and consequently, as severe a punishment was inflicted upon the act of

state received a similar advantage from convictions in actions for violence (*δίκη βιαιῶν*);<sup>1</sup> and if any person took a slave from his master, under the pretence that he was a freeman, he paid to the state the half of the whole fine:<sup>2</sup> in all three cases because the state considered itself injured.

depriving of possession, as upon an act of forcible seizure of property. And that in every *δίκη ἐξούλης*, not merely in the *actio judicati*, a fine fell to the state of equal value with the amount of the indemnification adjudged to the plaintiff, is signified by the words of Harpocr. and Suidas on the phrase *ἐξούλης δίκη*: οἱ δὲ ἄλλοι τες ἐξούλης καὶ τῷ ἐλόντι ἐδίδοσαν ἂ ἀφηροῦντο αὐτοῦ καὶ τῷ δημοσίῳ κατετίθεσαν τὰ τιμηθέντα. Finally, the *actio judicati*, one of the results of which, when the defendant lost the suit, was that an amount equal to the indemnification adjudged the plaintiff was paid to the state, could not have been called by the same name, *δίκη ἐξούλης*, if the original *δίκη ἐξούλης*, which was brought for an actual forcible seizure of property, was not attended with the same result. The words of Demosthenes ag. Midias, p. 528, 11, by no means prove, that of the two actions only in the *actio judicati* a fine resulted to the state, but the orator gives prominence to this one point only, because the other cases, on account of what follows concerning the *δίκη βιαιῶν*, did not seem to require to be particularly mentioned. Moreover, the *δίκη ἐξούλης* is here considered as *οὐκ ἰδία* in relation only to the fine paid to the state. For, that in other respects it was *ιδία*, Demosthenes was well aware. The reading *οὐκέτ' ἐπ.* is certainly to be preferred. But the *οὐκέτι* does not indicate an opposition between the *δίκη ἐξούλης*, as an *actio judicati*, and the *δίκη ἐξούλης*, as an *actio unde vi*, as if only the former could be called *οὐκ ἰδία*, and the latter not; but Demosthenes calls the *actio judicati* *οὐκέτ' ἰδίαν* in opposition to the preceding private suit, from which the former arose. I will add, that a particular application of the *δίκη ἐξούλης*, that brought by a creditor under a mortgage or hypothecation, was directed against the purchaser of property, which had been mortgaged or hypothecated to the former. See my "Abhandlung von den Laurischen Bergwerken," toward the end.

<sup>1</sup> Harpocr. on the word *βιαιῶν*, with reference to the passage transcribed above from Demosthenes, which evidently does not relate to the *δίκη ἐξούλης*, but to the *δίκη βιαιῶν* another kind of action for the forcible seizure of property, of personal property only, however; as slaves, for example: Lysias ag. Panceleon, p. 376, gives an example of the same; comp. Plato on Laws, XI. p. 914, E. It is, to be sure, singular enough, that, according to Suidas, the *δίκη ἐξούλης* was also applicable in cases relating to personal property; for example, to slaves: so that the difference between the *δίκη βιαιῶν* and the *δίκη ἐξούλης* is not perceived. Perhaps it consisted in the circumstance, that the *δίκη βιαιῶν* was allowed to the possessor of a piece of personal property against the person who forcibly deprived him of the possession of it, but the *δίκη ἐξούλης* was allowed to him to whom a piece of personal property had been legally awarded, by the judgment of some competent authority, against the possessor who refused him possession, and also to the creditor under a hypothecation who, by the terms of the same, had a right to the possession of the piece of personal property hypothecated against the debtor who would not give him possession of the property.

<sup>2</sup> Concerning this cause of action, for which a prosecution could be instituted in a *δίκη ἐξαρέσεως*, see the speech ag. Theocr. p. 1327 sqq.; comp. the argument, and Petit, II. 6, 4. According to the law there belonged to the state in this case τὸ ἡμισυ τοῦ τιμήματος, by which we must understand not the half of the assessed amount awarded to the plaintiff, but the half of the whole penalty; so that the state received the same



I have already frequently remarked incidentally, that in all public actions the complainant, if he did not receive the fifth part of the votes of the judges in his favor, was indebted to the state a thousand drachmas (*τὸ πέμπτον μέρος τῶν ψήφων μὴ μεταλαβὼν ὀφείλει χιλίας*). The same penalty was imposed, if he abandoned an action already in the course of trial. The latter law, however, was not always executed; as the example of the case of Demosthenes shows, when he allowed the suit against Midias to drop.<sup>1</sup> The case of an *eisangelia* before the archon formed the only exception to this rule.<sup>2</sup> In all other public actions, whatever name they may have had, the liability to the same was universal.<sup>3</sup> In the ancient authors themselves are found frequent examples and confirmations of the truth of this assertion. Demosthenes proves it expressly with respect to the action instituted by a bill of accusation for wanton and contumelious injury to the person (*γραφὴ ὕβρεως*). Besides, it is evident from ancient

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amount as the injured party. This is, as it appears to me, perfectly evident from the comparison of the *δίκη ἐξούλης* with the *δίκη βιαίων*. Plato, as above cited, even comprises the *δίκη ἐξαρέσεως* to a certain degree under the *δίκη βιαίων*, and appoints as the penalty therein double the amount of the indemnification for the damage.

<sup>1</sup> See Taylor's *Introduct.* to the speech ag. Mid. Hudtwaleker v. d. Diät. p. 195 sqq. in particular, treats of the latter point, namely, of the penalty for abandoning an action, or for compounding with the accused in public actions, with so much care that I have nothing to add. Only the words occurring on p. 168: "also compounding with the accused was allowed even in the court itself, and was often effected even in criminal actions with the assistance of the judges themselves" need further qualification. For both the examples quoted by Matthiä, Vol. I. p. 269, of a compounding with the accused or defendant, effected or permitted in court, from Isæus concern, the estate of Dicaeog. p. 98, and from Isocr. ag. Callim. 16, were merely in private actions, the latter in a *δίκη ψευδομαρτυρίων*, the former in a pecuniary action for ten thousand drachmas, which the plaintiff claimed for himself, not for the state. In the former, it is true, the *atimia* was added to the penalty, but the lawsuit did not on this account cease to be a private suit, as I have shown in another place. In the latter, the plaintiff expresses apprehension of the infliction of the punishment of the *atimia* (Isocr. 15), but manifestly only indirectly, as a consequence from the loss of the suit, since, if he did not receive the fifth part of the votes of the judges in his favor, he would have to pay the *epobelia*. But being poor, he could not have paid it, and consequently a *δίκη ἐξούλης* would be brought against him by the successful party, he would be condemned in that action, and would thus become a public debtor. This was the very reason why Demosthenes feared, that with the loss of the *epobelia* in his private action against Aphobus, he would be subjected to the punishment of infamy, p. 834, 29, p. 835, 11.

<sup>2</sup> See the passages cited above.

<sup>3</sup> Pollux, VIII. 41. Theophrastus in Pollux, VIII. 53, and with respect to the abandoning of an action, the speech ag. Theocrin. p. 1323, 14 sqq.; Demosth. ag. Mid. p. 529, 23



authors, that there was a liability to the fine in question in the public action for impiety (*γραφὴ ἀσεβείας*),<sup>1</sup> for administering to the unnatural lusts of another (*γραφὴ ἐταιρώσεως*),<sup>2</sup> for proposing illegal or unconstitutional measures or laws (*γραφὴ παρανόμων*):<sup>3</sup> and Demosthenes himself declares, that there was a liability to the same in all actions instituted by a bill of accusation (*γραφαί*), in that form of action in which the complainant took the accused before the magistrate (*ἀπαγωγή*), and the like.<sup>4</sup> Moreover, it is several times testified in ancient authors,<sup>5</sup> that the complainant was liable to the same fine in the last-mentioned form of action (*ἀπαγωγή*), which was another kind of public action, as well as in the *eisangelia*.<sup>6</sup> The same liability may also be proved with respect to the phasis by reference to a single passage;<sup>7</sup> so that for the other kinds of public actions a special testimony is not needed. Also, if any person being solemnly summoned by a herald to appear as a witness (*κλητευθεὶς, ἐκκλητευθεὶς*) failed to appear, he was obliged to pay a thousand drachmas, probably to the state.<sup>8</sup> On the other hand, it is not true, as Heraldus has already shown, that the party condemned on account of non-appearance (in *contumaciam*), was required to pay a thousand drachmas.<sup>9</sup>

This fine, however, which was appointed to be paid, under the circumstances mentioned, in public actions, perhaps, at certain times, underwent alterations. We find, according to a

<sup>1</sup> Demosth. ag. Timocr. p. 702, 5; Plato, Apolog. 5.

<sup>2</sup> Demosth. ag. Androtion, p. 599 near the bottom.

<sup>3</sup> Demosth. ag. Timocr. p. 701, 1, must be thus understood. Comp. also the Lives of the Ten Orators, p. 248, in the Tübing. Plut.

<sup>4</sup> Ag. Androt. p. 601, 20.

<sup>5</sup> Demosth. ag. Aristocr. p. 647, 7; Andoc. ag. Alcib. p. 120; Pollux, VIII. 49; Suid. on the word *ἀμφορτία*. Comp. Lex. Seg. (*δικ., ὀνόμ.*) p. 188, 19, with respect to thieves.

<sup>6</sup> Harpocr. on the word *εἰσαγγελία*; Theophr. ut sup. In the *eisangelia*, in the more ancient periods, the complainant, if he did not receive the fifth part of the votes of the judges in his favor, could be condemned even to a severer punishment by the court; as Meier Fragn. Lex. Rhet. p. XXXIII. has shown from Harpocr. on the word *εἰσαγγελία*, in connection with the passage of this Rhetorical Dictionary (in the Appendix to the English edition of Photius, p. 677).

<sup>7</sup> Speech ag. Theocr. p. 1323, 19.

<sup>8</sup> Pollux, VIII. 37; Harpocr. Phot. Suid. on the word *κλητῆρες*; Lex. Seg. p. 272, 10. Comp. der Attische Prozess, by Meier and Schömann, p. 390.

<sup>9</sup> See Hudtwalcker v. d. Diet. p. 98 seq. Matthiä, Vol. I. p. 266, is incorrect. To be condemned in *contumaciam* was expressed by the words *ἐρήμην ὀφλεῖν*.

legal document in Demosthenes,<sup>1</sup> of doubtful authority, to be sure, that in an action for proposing an unconstitutional law, which was lost by the complainant, a fine of only five hundred drachmas was imposed. The complainant who had not received the fifth part of the votes in his favor, was subjected at the same time to a limited atimia, in consequence of which he was not permitted, on the one hand, thereafter to institute certain public actions (*γραφή, απώγνις, ἐφίγησις*, and *ἐνδειξις*), on the other hand, when the action was for an act of impiety, to visit this, or that temple.<sup>2</sup> There was an exception in the case of the *eisangelia*,

<sup>1</sup> Concerning the Crown, p. 261, 20. In this passage the words *τὰς πεντακοσίας δραχμῶς* even indicate something customary.

<sup>2</sup> Concerning the atimia see Demosth. ag. Aristog. II. p. 803, 13; Andoc. concern. the Myst. p. 17, and p. 36. From the latter we learn that this atimia was only a partial one, *κατὰ πρόσταξιν*, that is, according to a specific prohibition, that those who were subjected to it should not be allowed to do this or that; one to institute a *γραφή*, another an *ἐνδειξις*, and the like; comp. also Schol. Demosth. in Reiske, Vol. II. p. 132, 133. According to Genethlius, quoted by this grammarian, a complainant in public actions was subjected to the punishment of atimia only when he had failed, in three lawsuits, to receive the fifth part of the votes of the judges in his favor, because Androton had not become infamous on account of having once lost such an action. This supposition, however, is entirely inadmissible, and it cannot be proved that Androton after the loss of the *γραφὴ ἀσεβείας* did not become *ἄτιμος κατὰ πρόσταξιν* to that extent, that he was not thereafter allowed *γράφεσθαι* in a more limited sense. And even supposing that the loss of the action was not at that time attended with this consequence to him, yet it must be remembered, that not every thing was done at Athens, which the law in strictness required. The law may have directed the infliction of the punishment of atimia, but its execution may have been neglected. The same was the case with respect to the law, which prescribed a penalty for abandoning a public action, and which has just been mentioned. Moreover, if any person, having incurred the fine of a thousand drachmas, neglected to pay it, he was, in addition, subjected, as a matter of course, to the punishment of that special kind of atimia which was inflicted upon public debtors. Whether the abandoning a public action was immediately followed by atimia is uncertain. From Demosth. ag. Mid. p. 548, 7, and Ulpian upon the same, it might be concluded that the law had prescribed the punishment of atimia in this case (but only the partial atimia in relation to the right of instituting such actions), as Heraldus, Animadv. VII. 16, 20, supposes, yet the state did not insist upon its execution. For the complainant, says Demosthenes, has, by abandoning the action, made himself infamous: that the state pronounced sentence on him to that effect is not said. But we may adopt the view proposed by Hudtwaleker as above cited, p. 162, namely, that the complainant who abandoned a public action was condemned to pay the fine of a thousand drachmas, and that by neglecting to pay the same he made himself infamous, inasmuch as he then became a public debtor, and, consequently, in fact, infamous: although perhaps he may not have been considered infamous, because gradually the state ceased to collect the fine, and to consider those who failed to pay it as *acerarii*.

probably according to a legal regulation added at a later period.<sup>1</sup>

The penalties (τιμῆματα) appointed for the accused were, for the most part, much higher. In cases, it is true, in which the council pronounced judgment, as in certain eisangeliaë, the accused came off at a cheap rate; since the highest fine which the council could impose was but five hundred drachmas. But, if this fine seemed too small for the offence committed, they referred the case to one of the courts of the heliæa. An example of a very inconsiderable fine occurred in the lawsuit of Theophemus. He, through the compliance of the complainant (συγγώγησις) with the requests and entreaties of the friends of the accused, was condemned by the council to the payment of an additional fine (προστίμημα) of only twenty-five drachmas, beside the restitution of what the state demanded of him as its property.<sup>2</sup> An assessed fine of one thousand drachmas was imposed upon Phrynicius in a public action on account of the representation of his tragedy, the Capture of Miletus.<sup>3</sup> In the action against Socrates for impiety (ῥαγὴ ἀσεβείας), the complainants proposed that, upon his conviction, the penalty of death should be inflicted; he himself proposed that the penalty should be a fine of one, afterwards upon the advice of his friends, but in a manner little adapted to recommend the adoption of his proposal, of thirty minas; according to others, of no more than twenty-five drachmas.<sup>4</sup> An assessment of ten thousand drachmas appears to have been a very common fine imposed in that action.<sup>5</sup> Five talents are mentioned as the fine imposed upon Anaxagoras,<sup>6</sup> although the accounts of the misfortunes of this sage at Athens do not all give that sum. An assessed fine of ten thousand drachmas is mentioned also in relation to a public action for wanton and contumelious injury to

<sup>1</sup> Pollux, VIII. 53, from Theophrast. Some errors in relation to other assumed additional penalties are confuted by Schömann in his Att. Proz. p. 736 sqq., and by others.

<sup>2</sup> Speech ag. Euerg. and Mnesibul. p. 1152. Comp. Pollux, VIII. 51.

<sup>3</sup> Herodot. VI. 21, and the commentators on the passage.

<sup>4</sup> Plat. Apol. 28, and Fischer on the same.

<sup>5</sup> Beilage VII. § 9.

<sup>6</sup> Diog. L. II. 12.

the person, and as a penalty for sycophantia.<sup>1</sup> In an action for false witness in relation to summoning a defendant to trial (*γραφὴ ψευδοκλητείας*), the judges were inclined to pass sentence of death, as the penalty due to the crime, but at the request of the complainant the penalty was mitigated to a fine of the amount of a talent.<sup>2</sup> In an action for illegally receiving five drachmas as a theoricon, the accused, in compliance with special intercessions made in his behalf, was punished, with comparative mildness, by the imposition of a fine of the amount of a talent.<sup>3</sup> Very high fines were imposed in actions for proposing an illegal or unconstitutional measure or law (*γραφὴ παρὰ νόμων*), five, ten, or fifteen talents; they were sometimes abated, however; as, for example, a fine of fifteen talents to one talent. Indeed, Æschines assessed fifty talents as the fine to be imposed upon Ctesiphon, Lycinus a hundred as the fine to be imposed upon Philocrates.<sup>4</sup> They were, however, both acquitted. It was such an action perhaps, in which Demades was condemned to pay a fine of ten, or, according to Ælian, of a hundred talents, because he had proposed to pay divine honors to Alexander.<sup>5</sup> Probably the former sum was the amount of the fine imposed by the court, the latter the sum originally proposed by the complainant.

The dishonesty of the statesmen, party hatred, and the pleasure which the Athenians took in accusations against their principal fellow-citizens, must have rendered these fines a productive branch of the public revenues. The leaders of the people, sel-

<sup>1</sup> Aristoph. *Birds*, 1046, 1052; Lysias ag. *Agorat.* p. 488.

<sup>2</sup> Speech. ag. *Nicostr.* p. 1252, 15. In the cause therein mentioned there were other points presented, particularly a dangerous attack upon the person of the complainant. But the action, in which the accused was condemned, however, was none other than a *γραφὴ ψευδοκλητείας*, and it is, therefore, manifest, that in it the accused, if convicted, could be sentenced to the punishment of death. For if this had not been possible by virtue of the form of the action itself, it could not have been rendered possible by all the aggravating accessory circumstances, which were alleged against the opposing litigant in the speech alone, delivered in support of the accusation, (*κατηγορία*).

<sup>3</sup> Hyperides ag. *Demosth.* p. 19 of my edition. Comp. p. 20.

<sup>4</sup> Diog. L. in the *Life of Theophrastus*; *Dinarch.* ag. *Aristog.* p. 82, 83; speech ag. *Theocrin.* p. 1323, 3 (comp. p. 1331, 19, p. 1332, 5, 17, 22), and p. 1336; *Demosth.* ag. *Mid.* p. 573, 17; speech ag. *Neera*, p. 1347, 10 (comp. p. 1348, 1); *Demosth.* concern. *the Crown*; Æschin. *de Fals. Leg.* p. 198, 199.

<sup>5</sup> *Athen.* VI. p. 251, B; Ælian, V. H. 12.



dom guided by purely moral principles, raised themselves by courting the favor of the populace with distributions of the public money, and by squandering it, for their gratification, in splendid spectacles and luxurious entertainments. The most of them, when they had reached the height of power for which they had struggled, so little forgot their own interest, that they disdained no means, however disgraceful, to enrich themselves; and it was a pleasure to the people to condemn and overthrow them. What great leader of the people escaped a melancholy fate? Did Miltiades, Themistocles, Aristides, Timotheus, Demosthenes? Happy he who came off with no severer infliction than a heavy fine. Others suffered death, had their property confiscated, or were banished. Thrasybulus, the son of the restorer of freedom, was obliged to pay a fine of ten talents,<sup>1</sup> probably having been condemned in an action for unfaithfulness in an embassy (*γραφὴ παραπροσβείας*). Callias, the torchbearer, is said to have concluded a most advantageous and honorable peace with the king of Persia, by virtue of which, as the Greeks commonly believed, no army was to approach the coasts nearer than a day's march for cavalry, and no armed vessel of the Persians was to visit the Grecian seas. Yet he hardly came off with his life, and he was obliged to pay, upon rendering his account, a fine of fifty talents, because he was accused of having received bribes during his embassy.<sup>2</sup>

How many were condemned to severe punishment for receiving bribes, or for treason! Cleon paid five talents, probably not, as the scholiast of Aristophanes<sup>3</sup> thinks, because he had insulted the knights, but because he had allowed himself to be bribed by

<sup>1</sup> Demosth. de Fals. Leg. p. 431, 14.

<sup>2</sup> Demosth. ut sup. p. 428, 28. Respecting the embassy (Olymp. 82, 4, B. c. 449), comp. Diodor. XII. 4; Herodot. VII. 151; Plutarch, Cim. 13; Pausan. I. 8, 3. The statue of Callias, which was not far from the statues of the eponymi (Pausan. I. 8, 3), was not erected until after the time of Demosthenes; nor were the statue of Lycurgus, that of Demosthenes, and that of the goddess of Peace, among which it stood, erected until after the same time; (respecting the statue of the goddess of Peace, see Beilage VIII. § 3, 1). There is certain evidence of this in the accounts we have of honors conferred for public services. See Book II. 18, of the present Book.

<sup>3</sup> Acharn. 5. In reference to this passage, Theopompus, in particular, is to be regarded. The Knights appear to have been the accusers, and Cleon, through the lenity of the judges, was condemned to pay only the amount which he had received. Undoubtedly the action was a *γραφὴ δώρων*. Comp. the second argument to the Knights.

the allies to procure for them an abatement of their taxes; and to omit the probably fictitious fine of Aristides of fifty minas for receiving bribes,<sup>1</sup> Timotheus was, on the same ground of having received presents, prosecuted in an action for treason, and at a later period, for the same cause, was condemned, upon rendering his account, to the payment of a fine of a hundred talents, a heavier pecuniary penalty than had ever before been paid. Nine tenths of the same, however, were remitted to his son Conon, and one tenth of it he was obliged to apply to the repairing of the walls of the city, for which Athens was indebted to his grandfather.<sup>2</sup> Demosthenes, on account of the affair of Harpalus, was condemned, in an action for receiving bribes (*γραφῇ δώρων*), to the payment of a fine of fifty talents, and was thrown into prison.<sup>3</sup> Strictly, according to law, he would have been obliged to pay ten times the amount alleged to have been received, but we read of his being sentenced to pay only five times that amount; but this, however, he could not do.<sup>4</sup> And, even with the sum mentioned above as the amount of the fine, the accounts of the sum alleged to have been received by Demosthenes do not agree. For by one authority thirty talents are mentioned,<sup>5</sup> by another twenty as the sum received; as, for example, Dinarchus,<sup>6</sup> referring to the Areopagus, names twenty talents of gold (that is, the value of twenty silver talents in gold), and Plutarch<sup>7</sup> relates, that Demosthenes received twenty talents in a royal golden goblet. The entire fine of fifty talents, as Plutarch, it is probable, correctly states it, or of thirty talents, the amount in which he remained indebted, as is mentioned in the Lives of the Ten Orators and in Photius, probably through a misunderstanding, was remitted to him, upon his recall, in con-

<sup>1</sup> Plutarch, Aristid. 26.

<sup>2</sup> Dinarch. ag. Demosth. p. 11; Isocr. on the Exchange of Property, p. 75, Orell. ed.; Nepos. Timoth. 3, 4. Comp. Lives of the Ten Orators, p. 234, 235, in the Tübing. Plut. The action for treason was tried in an assembly of the people. The action, consequently, must have been an *eisangelia*. The sentence of condemnation was not passed until the matter was resumed in the *εὐθύναι*.

<sup>3</sup> Plutarch, Demosth. 26. That it was a *γραφῇ δώρων* is evident from the cause itself, and from the Lives of the Ten Orators, p. 264.

<sup>4</sup> Lives of the Ten Orators, p. 264; and Phot. Biblioth. Cod. 265.

<sup>5</sup> Lives of the Ten Orators, the same; and Phot. Biblioth.

<sup>6</sup> Ag. Demosth. p. 40.

<sup>7</sup> Life of Demosth. 25.

sideration of his building an altar.<sup>1</sup> Miltiades, accused of treason, was condemned to the payment of a fine of fifty talents, not as an indemnification for the damage which the state had suffered, as Nepos ignorantly asserts, but, according to the ordinary form of procedure, by an assessment of the amount which ought to be imposed for the offence. The fine was paid by his son.<sup>2</sup> Indeed, Miltiades had also previously been obliged to pay a fine of thirty talents.<sup>3</sup> Cimon himself was, on account of alleged attempts to effect a revolution in the government, near being condemned to death, and might have congratulated himself for his good fortune in not having been obliged to pay a fine of more than fifty talents.<sup>4</sup> That great man, Pericles, after the second invasion of Attica by the Spartans, was vehemently accused: for the people were dissatisfied with his method of carrying on the war, particularly with the abandonment of their own country to the enemy, whereby individuals suffered so much damage. And the Athenians did not rest, says Thucydides,<sup>5</sup> until they had condemned him to the payment of a fine. Those who state the highest sum as the amount of the fine speak, as Plutarch<sup>6</sup> informs us, of fifty talents; those who report the lowest sum, of fifteen talents. The former was probably the assessment of the accuser, the latter of the court. Cleomodon, also, was sentenced to the payment of a fine of fifty talents in the time of Demetrius Poliorcetes.<sup>7</sup> We find, however, that smaller fines also were imposed in actions for high offences, as, for example, in an action for treason, only three talents.<sup>8</sup>

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<sup>1</sup> Plutarch, Demosth. 27. Lives of the Ten Orators, p. 264; and Phot. as above cited.

<sup>2</sup> Herodot. VI. 136; Plutarch, Cimon, 4; Nepos. Cimon, 1.

<sup>3</sup> Speech ag. Aristogeit. II. p. 802, 18.

<sup>4</sup> Demosth. ag. Aristocr. p. 688, 25.

<sup>5</sup> II. 65.

<sup>6</sup> Pericles, 35. Among the former is the author of the speech ag. Aristogeit. II. ut sup. Diodorus, with his usual exaggeration, states the amount at eighty talents, XII. 45.

<sup>7</sup> Plutarch, Demetr. 24.

<sup>8</sup> Demosth. ag. Timocr. p. 740, 15.

## CHAPTER XIII.

## OF THE PUBLIC DEBTORS.

IF any person neglected to pay a fine which fell to the state, he was classed among the public debtors (οἱ τῷ δημοσίῳ ὀφειλοντες). Some information concerning them has been already imparted when treating of the farmers of the revenues, but the particular handling of this topic has been reserved for the present chapter.

The public debtors were of different kinds; lessees of public property, or their sureties, or purchasers of the same; as, for example, of mines;<sup>1</sup> or persons condemned to the payment of some public fine; or who had borrowed something from the state, and had not returned it at the proper time; as, for example, ship's equipments belonging to the state, from the naval arsenal;<sup>2</sup> also, those who had neglected to pay rents or fines which fell to temples.<sup>3</sup> It is not perfectly clear, however, whether the whole severity of the laws against public debtors was at all times applicable to the last class. It is certain that those who were in arrear with respect to the property tax (εἰσφορά) were less severely treated, and I do not find that they were classed among the public debtors. If any person had purchased on credit, or had in his possession any property belonging to the state, he was a personal debtor, and also the person who was indebted for a fine; hence the punishment of atimia, and imprisonment and other penalties could be inflicted upon them. The property tax, however, was not a

<sup>1</sup> Demosth. ag. Pantän. p. 973, 6.

<sup>2</sup> Demosth. ag. Euerg. and Mnesibul. p. 1145, 25.

<sup>3</sup> Hence the permission to make a specification of the property of a citizen with a view to its confiscation on account of such a fine, see Beilage XIX. § 2. But the payment of double the amount after the ninth prytania seems neither in this, nor in many other cases, to have been required. In the law quoted in Demosth. ag. Macart. p. 1069, 25, the punishment of atimia is denounced against those who should not pay the rents of the landed property (τεμένη) of the goddess, of the other deities, and of the eponymi, and that it should continue to affect themselves, their descendants, and their heirs, until the sum due should be paid. Nothing is signified concerning the doubling of the debt.



personal debt, but a debt attached to the property, for which no person could be arrested, nor treated in any way as the public debtors were treated. It remained, therefore, unpaid without any evil consequences to the person from whom the tax was due, until the state decreed the final and complete collection of the tax, and then if the person indebted refused or neglected to pay the sum due, the state could have recourse to his property.<sup>1</sup>

The question when a person began to be a public debtor, needs a special investigation. Purchasers and lessees of public property and their sureties, of course, became public debtors so soon as the term appointed for payment had expired. The decision is more difficult with respect to those who were obliged to pay any kind of fine, imposed by law in a penal action, upon rendering an account at the expiration of an unofficial term, or by the judgment of a court.<sup>2</sup> All accounts seem to coincide in the view, however, that the person condemned became a public debtor immediately after judgment had been passed, if he did not pay it forthwith. With respect to the public action for wanton and contumelious injury to the person (*γραφή ὕβρεως*) the law directed, as it is communicated to us in a speech of Æschines,<sup>3</sup> that, when the accused was condemned to the payment of a fine, he should pay the same eleven days after judgment, if he could not pay it immediately; but that he should be imprisoned until it should be paid. Another form of expressing the same direction contained in the law inserted in the speech of Demosthenes against Midias<sup>4</sup> is in one respect more definite; namely, "if any person shall wantonly and contumeliously injure a free person, he shall, if he do not pay the fine imposed, be bound in chains until it be paid." Here it is taken for granted, that properly, after condemnation, the fine imposed was immediately to be paid, and hence that the person condemned should be immediately imprisoned.<sup>5</sup> The additional regulation that, if he could

<sup>1</sup> The truth of this view is sufficiently evident from Demosth. ag. Androt. p. 608-10. Comp. Lysias ag. Philocr. p. 832. Under the circumstances mentioned above, the poletæ also had the charge of selling the property of those who remained indebted for the property tax; Phot. on the word *πωληταί*; Suid. on the word *πωλητής*.

<sup>2</sup> The various kinds of them are enumerated by Andoc. on the Myst. p. 35.

<sup>3</sup> Æschin. ag. Timarch. p. 42.

<sup>4</sup> P. 529. See, concerning this law, Meier, Att. Proz. p. 321 seq.

<sup>5</sup> Comp. Demosth. ag. Mid. p. 529, 27.

not pay the fine upon the spot, he should pay it eleven days after judgment, is merely the designation of the extreme term, after which severer measures were taken against him. From the first until the eleventh day after the sentence had been passed, he was a public debtor, because he was under an obligation to pay the fine imposed upon him. After the eleventh day, the payment was no longer received, as it would have been before, but he incurred a severe penalty, namely, the usual payment, exacted in such cases, of double the amount of the fine imposed. If this was not immediately paid, the confiscation of the property of the condemned followed.

With regard to other public debtors, the extreme term of payment was the ninth prytania, and until that period they could be imprisoned and bound. In the case of a person condemned in a public action for wanton and contumelious injury to the person it was ordained, in aggravation of his punishment, that the eleventh day should be the extreme term of payment, and that the condemned should be bound in chains, or at least imprisoned. As this law is not inconsistent with the view above presented, so it is completely confirmed by the express regulation: that a person condemned to the payment of a fine, or who had transgressed the law or a decree of the people, should be considered a public debtor from the day upon which he was sentenced, or the offence committed (*ἀφ' ἧς ἀν' ὄφλη ἢ παραβῆ τὸν νόμον ἢ τὸ ψήγισμα*), even although his name had not been reported to the praetores and had not been registered.<sup>1</sup> This regulation comprises two particulars, according to the difference of the cases. With regard to offences which had not been proved, or which required an assessment, it was necessary that sentence of condemnation should previously be passed, before a person could become a public debtor. But if the offence was evident, and the penalty for it appointed by law, the transgressor became a public debtor from the moment of his transgression, and if he exercised the rights, of which public debtors were deprived, he was liable to be prosecuted in the action instituted by information (*ἐνδείξις*).<sup>2</sup>

It was not by the registration of his name that a person became a public debtor, but this was only a consequence of his becoming a public debtor. The registration was made for the

<sup>1</sup> Speech ag. Theocr. p. 1328, 10; p. 1337, 26 sqq.

<sup>2</sup> The same, p. 1337, 1338.

treasury of the state on tablets in the temple of the goddess in the citadel, together with a notice of the amount due.<sup>1</sup> This was done by the practores, who had the charge of collecting the fines.<sup>2</sup> Hence the expression, "one who has his name registered in the citadel" (ἐγγεγραμμένος ἐν ἀκροπόλει), always signified a public debtor. Those persons, also, who were indebted to the state for the equipments of vessels had their names registered upon a tablet.<sup>3</sup> If any person was indebted to Minerva, to the other deities, or to the heroes of the tribes, he could, like the debtors to the state, and in the same cases, be prosecuted in the action instituted by information in writing (ἐνδείξις),<sup>4</sup> and consequently was also considered a public debtor. The registration of the names of such persons was made by the treasurers of the goddess, and of the other deities, and by the king-archon.<sup>5</sup> The registration of the thesmothetæ, which is once mentioned (ἐγγραφὴ θεσμοθετῶν) in connection with a registration of the practores,<sup>6</sup> was nothing more than the recording, or noting of the fines, which the thesmothetæ, as presidents of the courts, made in their own records. This registration was the authority for the other, the making of which was one of the duties of the practores. The name of the person who paid after his name had been registered was erased in relation to the whole sum due, or to a part of it, according to the amount paid.<sup>7</sup> But as against the public debtor, whose name was not registered, an information (ἐνδείξις) could be brought, if he exercised the rights of an epitimus; so against the person whose name had been fraudulently erased the action by bill of accusation for not having his name registered (γραφὴ ἀγραφίου) could be instituted. This latter action could by no means be instituted generally against every public debtor, whose name had not been registered.<sup>8</sup> On the other

<sup>1</sup> Speech ag. Aristog. I. p. 791, 11; Harpocr. and Suid. on the word ψευδέγγραφῆς; Suid. on the phrases ψευδέγγραφης δίκη, and ἀγραφίου δίκη, and in many other places.

<sup>2</sup> See Book II. 3, of the present work.

<sup>3</sup> Speech ag. Euerg. and Mnesibul. ut sup.

<sup>4</sup> Speech ag. Theocr. p. 1326, 2-6.

<sup>5</sup> Comp. Andoc. concern. the Myst. p. 36, near the bottom.

<sup>6</sup> Speech ag. Aristog. I. p. 778, 18.

<sup>7</sup> Speech ag. Theocr. p. 1338, 8. An example is given in Beil. VII. § 9.

<sup>8</sup> The orator in the speech against Theocrines, p. 1337, 1338, 7-27 alleges that those whose names were illegally erased, were liable to the γραφὴ ἀγραφίου, and that on the other hand the ἐνδείξις was the appropriate action against those, whose names had not



hand, the person who alleged that his name was falsely registered could institute against the officer offending, the action for false registration (*γραφῇ ψευδεγγραφῆς*), whether he owed nothing at all, or less than the amount stated in the register.<sup>1</sup> If one had paid, and yet his name was not erased from the record, he could insti-

been registered, while at the same time they exercised the rights of an epitimus. Comp. Harpocr. Suid. Etym. M. on the word *ἀγραφίον*; Lex. Seg. p. 184, 24; 199, 28; 331, 21; Schol. Demosth. p. 115, Reisk. Vol. II.; Pollux, VIII. 54. Zonaras on the phrase *ἀγραφίον δίκη* is mutilated. In Etym. M., and Lex. Seg. p. 199, 28, the following is stated: *ἀγραφίον: εἶδος δίκης κατὰ τῶν ὀφειλόντων τῷ δημοσίῳ, καὶ ἐγγεγραμμένων μὲν, ἀπαλειφθέντων δὲ πρὶν ἀποδοῦναι, ἐνίοτε δὲ καὶ κατὰ τῶν ἐγγραφόντων τοῖς μὴ ὀφείλοντας*. The latter additional clause is manifestly false. It may indeed have originally stood as follows: *κατὰ τῶν μὴ ἐγγραφόντων τοὺς ὀφ.* See Meier, Att. Proz. p. 353. He does not decide, however, with respect to the truth of the remark thus corrected. Yet the same remark is found in the Rhetorical Dictionary in the Appendix to the English edition of Photius, p. 663: *ἀγραφίον δίκη: κατὰ τοῦ τὸν ὀφείλοντα τῷ δημοσίῳ μὴ ἐγγράψαντος*. In the subsequent context in this latter article stood probably: *καὶ κατὰ τοῦ τὸν μὴ ἀποδόντα ὃ ὤφειλεν ἐξαλείψαντος* (see Meier, Fragm. Lex. Rhet. p. VI.). If these definitions are correct the same action *ἀγραφίον* could be instituted not only against the public debtor whose name had been illegally erased, but also against the officer who had neglected to register the name of a public debtor, or who was guilty of an illegal erasure. Hesychius on the phrase *ἀγραφίον δίκη* does not mention the illegal erasure as one of the offences, for which this action could be brought, but says that the *γραφῇ ἀγραφίον* was instituted against the public debtor, whose name through favor was not registered. Hemsterhuis (on Poll.) agrees with Hesychius, and also Wesseling, borrowing from him, in his commentary on Petit (IV. 9, 19, 20), and they accuse the author of the speech against Theocr. notwithstanding his express reference to the laws, of wilful prevarication. The reasons alleged, however, for this opinion by Hemsterhuis are but weak. Hesychius, or his authority, only inferred what he alleges from the name of the action itself. But so shamelessly, the orator could not falsify, especially since he had the apparent signification of the name of the action against him, but of which he must have known, that the law had assigned to it a more limited meaning. Indeed he quotes the words of the law itself, *ὅτι διαβήρηδην λέγει· ἐάν τις τῶν ὀφειλόντων τῷ δημοσίῳ μὴ ἐκτίσας τὸ ὄφλημα τῇ πόλει ἐξαλειφθῇ, εἶναι κατ' αὐτοῦ τὰς γραφάς πρὸς τοὺς θεσμοθέτας τοῦ ἀγραφίου*. It was evidently taken for granted by the law, that the erasure would not have been made, if the public debtor had not either made it himself, or caused it to be made. On the other hand against the public debtor, whose name was not registered, the *eudeixis* could be brought, in case he exercised the rights of an epitimus. Finally, no action could be brought against him merely because his name was not registered; for the registration was the duty of the proper officer, not of the public debtor. Against the officer, who had neglected to register, or had illegally erased, the name of a public debtor, an action, to be sure, in some form or other, must have been allowed. But that this form was the *γραφῇ ἀγραφίου*, as is stated in the Rhetorical Dictionary in the Appendix to Photius, and in the other gloss above mentioned, as there corrected, is uncertain, since there were other ways of prosecuting public officers for such offences (Schömann, in Att. Proz. p. 574). The kindred *γραφῇ βουλεύσεως*, however, could undoubtedly be instituted even against public officers for offences connected with the duties of their offices (see the "Seuerkunden," p. 536 sq.).

<sup>1</sup> See the proofs of this in the Att. Proz. p. 338.



tute against the officers appointed for that purpose, the action for plotting mischief against another (*γραφὴ βουλευσεως*). In both actions, if the complainant gained the cause, his name was ordered to be erased, and the accused, beside, probably, a fine to the state, was obliged to pay a sum to the complainant equal to that, which was improperly registered as due from him.<sup>1</sup>

Immediately connected with the condition of a public debtor, was the so-called infamy (*ἀτιμία*), or exclusion from the enjoyment of the rights and privileges of the commonwealth.<sup>2</sup> An investigation of the different degrees of this punishment is not required by the plan of this work. Imprisonment, on the other hand, was not an immediate consequence of public indebtedness, except where the law expressly directed it; as, for example, in the case of the condemnation of the accused in an action for wanton and contumelious injury to the person, which has just been mentioned above, and in the *eisangelia*, according to the law passed at the suggestion of Timocrates, if the accused was condemned to the payment of a fine.<sup>3</sup> In cases, however, in which the law did not expressly direct imprisonment, it could be added, as an aggravation of the punishment (*προστιμίμα*), if the law allowed it.<sup>4</sup> Thus Demosthenes, thus Miltiades, were thrown into prison, and the latter died in imprisonment.<sup>5</sup> Ac-

<sup>1</sup> For more particular information on this subject see the "Securkunden," in the note p. 536 sqq. That the accused also in the *γραφὴ ψευδεγγραφῆς*, if he was convicted, was obliged to pay to the complainant a sum equal to that which was improperly registered as due from him is not, it is true, there proved, but it may from analogy safely be assumed. In the same note also the opinion quoted by me in the former edition of this work from Suidas is refuted; namely, that the *γραφὴ βουλευσεως* could also be brought against the public officer, who registered again the name of one, who had formerly been a public debtor, but had paid the debt, and had his name erased. I omit the *γραφὴ ψευδοκλητείας*, which, Harpocration (and Lex. Seg. p. 317) asserts, was also applicable to the circumstances of the case of public debtors. But the cases which the grammarians had in view accidentally related to public debts. From a similar circumstance the grammarian, Lex. Seg. p. 194, 21, even limits the *γραφὴ ψευδοκλητείας* to cases of false testimony that a defendant had been duly summoned, occurring in the action *εἰς ἐμφανῶν κατώστασιν*. This he inferred from Demosth. ag. Nicostr. p. 1251. I have specially treated of this form of action in another place.

<sup>2</sup> Andoc. concern. the Myst. p. 35; speech ag. Theocr. p. 1236, 20; ag. Near. p. 1347, 10; Demosth. ag. Timocr. p. 743, 19; ag. Androt. p. 603, near the bottom; speech ag. Aristog. I. p. 771, 6. Comp. Petit, IV. 9, 12-14.

<sup>3</sup> Demosth. ag. Timocr. 721.

<sup>4</sup> See Chap. 8th of the present work.

<sup>5</sup> Herodot. VI. 136; Plutarch, Cim. 4; Nepos, Miltiad. 7; Cim. 1; and in other passages.

cording to Diodorus, Nepos, and other Roman authors,<sup>1</sup> his son, Cimon, as inheritor of the debt, and to redeem his father's corpse, also was imprisoned. Of this whole matter, however, Plutarch knew nothing. The father of Aristogeiton, also, according to Suidas,<sup>2</sup> is said to have remained in prison until his death, on account of a public debt, and his son to have been afterwards imprisoned in his stead. There are passages in the orators,<sup>3</sup> however, which prove that this account is incorrect. The account is more certain, that the sons of Lycurgus, in consequence of an action instituted against their father, after his death, in relation to the management of pecuniary affairs, were thrown into prison.<sup>4</sup> Plato<sup>5</sup> in relation to the trial of Socrates, speaks of imprisonment until the debt, in case of a fine, should be paid. But it is most certain that imprisonment, as a general rule, did not follow the condemnation to the payment of a fine, since nothing is said of imprisonment in cases where, if it had been generally inflicted upon public debtors, it must have been mentioned.<sup>6</sup>

During the continuance of the infamy, and of the imprisonment, the term of payment was extended to the public debtors, except those condemned in an action for wanton and contumelious injury to the person, until the ninth prytania. If at that period payment was not made, the debt was doubled, and the confiscation of the public debtor's property followed, in order to obtain from it the amount of the debt thus doubled.<sup>7</sup> This procedure, however, Timocrates endeavored to restrict by a law, as has been shown above.<sup>8</sup> The speech against Theocrines affords an example of the doubling of a fine.<sup>9</sup> An example of it occurs

<sup>1</sup> Diod. Excerpt. Book X.; Nepos, Cim. 1; Val. Max. V. 3, ext. 3; Justin, II. 15; Senec. Controv. 24; also the author of the Quintill. Declam.

<sup>2</sup> In the second article, Ἀριστογείτων.

<sup>3</sup> First speech ag. Aristog. p. 787 seq., among the orations and speeches of Demosthenes; Dinarch. ag. Aristog. p. 80 and p. 87.

<sup>4</sup> See Meier's explanation, de Vita Lyeurgi, p. LV. sqq.

<sup>5</sup> Apol. p. 37, B.

<sup>6</sup> Andoc. concern. the Myst. p. 35; speech ag. Neæra, p. 1347; and in other passages, and many well-known cases.

<sup>7</sup> Andoc. concern. the Myst., and speech ag. Neæra, as above cited; Liban. Argum. of speech I. ag. Aristog.; Harpocr. on the word ἀδικίον.

<sup>8</sup> See Chap. 8 of the present work.

<sup>9</sup> P. 1323, 3

also in the case of the neglect of his term of payment by a public debtor who had bought a mine.<sup>1</sup> The severity of these laws, the terrible consequences of which are amply represented in the speech against Neæra, was aggravated by the circumstance that the debt of a deceased person was transferred to the inheritors of his property; although this may have been necessary in order to prevent concealment or secret removing of the property. Thus the punishment of infamy, if not imprisonment, except in special cases, was transmitted to the children,<sup>2</sup> until they had paid the father's debt; as the example of Cimon, among others, shows.<sup>3</sup> Even when the father's name had not been registered, and the collection of the debt had been neglected, the children, according to the law, became debtors to the state.<sup>4</sup> The debt was inherited even by the grandchildren.<sup>5</sup>

No fine which had once been imposed could legally be remitted,<sup>6</sup> except upon a condition preliminary to the consideration of that subject; to the notice of which I will subsequently return. But examples are not wanting of their remission.<sup>7</sup> If the state were willing to allow it without that preliminary condition, recourse could be had to a form, according to which the debt appeared to have been paid, although in reality it was not. In that case the condition of the remission of a fine to a public debtor, when one had been exacted, was that he should execute some small public work. So, when in the Peloponnesian war, the Acarnanians wished to have Phormio for their general, and he thought that it was not lawful for him to accept the station, because he was at that time subject to the punishment of infamy, it was made a condition of his being relieved from the

<sup>1</sup> Demosth. ag. Pantænet. p. 973, 6; comp. p. 968, 8, and the argument, p. 964, 18.

<sup>2</sup> Speech ag. Neæra, p. 1347, 11; Demosth. ag. Androt. p. 603, near the bottom. Comp. Petit, IV. 9, 15.

<sup>3</sup> Nepos, Cim. 1; Plutarch, Cim. 4; Comp. Demosth. ag. Bœot. concern. his name, p. 998, 25.

<sup>4</sup> Speech. ag. Theocr. p. 1327, 21 sqq.; Demosth. ag. Macart. p. 1069, 25. In the latter, the subject of discourse is the rents of sacred landed property, and it is related that the atimia was transmitted to the whole family and to the heirs.

<sup>5</sup> The same, p. 1326, 29—p. 1327, 4. Comp. Demosth. ag. Aphob. II., at the commencement.

<sup>6</sup> Petit, IV. 9, 16.

<sup>7</sup> Plutarch, Demetr. 24; Pseudo-Demosth. III. Letter, p. 1480. So their father's debt was remitted to the sons of Lycurgus; see Meier de Vita Lycurgi, p. LVII. sqq.

infamy which he had incurred on account of a debt of one hundred minas due from him to the state, that he should perform some service to the god Bacchus.<sup>1</sup> An imitation of this proceeding was the making it a condition of the remission of the fine imposed upon Demosthenes, that he should build an altar.<sup>2</sup> To Conon, the son of Timotheus, nine tenths of his father's fine, according to Nepos, were remitted, and he was required to apply one tenth, namely, ten talents, to the repairing of the walls rebuilt by Conon, his grandfather.<sup>3</sup> Probably Nepos has conceived the matter incorrectly, and it was made a condition of the remission of the fine, that he should execute a work which might cost about ten talents, instead of paying the hundred talents which he was indebted to.

Moreover, a public debtor who had incurred the punishment of infamy, was not allowed to petition to be released from the debt, and to be relieved from the infamy. If he did make that petition, he was liable to the action by information (*ἐνδεξις*). If another person petitioned for him, the property of the petitioner was confiscated. If the *proëdrus* allowed the *epicheirotonia*

<sup>1</sup> Schol. Aristoph. *Peace*, 347, according to my obvious interpretation, which Meineke, *Hist. Crit. Comm. Gr. Tbl. II. Bd. I. S.* 527 sq., has published. To the same incident the account of Pausanias, *I.* 23, 12, refers, but he had a false conception in relation to it. He thought that Phormio had been indebted to many private persons, and that the state had paid his debts. Pausanias knew nothing, therefore, even of the *atimia* of Phormio, and he gave another reason for his declining the request of the Acarnanians. His assertion is correct, however, that the *Athenians* wished him to be their general. If the Acarnanians had wished him to be general for their own state merely, the *atimia* could not have hindered him from acceding to their request. They wished that Athens might appoint Phormio, a man well known to them, commander of the *Athenian* forces, and of the Acarnanian forces connected with them. Thucydides, *III.* 7, relates, concerning Phormio's son, Asopius, that at the request of the Acarnanians, that a son or relative of Phormio should be sent to them, he was sent as general, together with an Athenian military force. It may seem, from this, that in the passages which I have cited, Phormio is confounded with his son. But why may not the Acarnanians, upon a previous occasion, have requested that Phormio himself should be sent to them? That Thucydides, at an earlier period of his history, in his relation of the enterprises of Phormio, in the region to which reference is made, did not mention the request of the Acarnanians, is entirely natural. It did not appear to him to be requisite that any occasion should be alleged for the sending of so approved a general, but it may probably have seemed to him appropriate that the above-mentioned request should be mentioned, as the occasion of sending the son, since the issue of the expedition was unfavorable.

<sup>2</sup> See above, Book III. 12.

<sup>3</sup> Nepos, *Timotheus*. 4.



upon such petition, he himself became infamous. Only when six thousand Athenians, in a decree passed by secret ballot with tablets, had given permission to that effect, and the requisite assurance of impunity (*ἄδεια*), could the question, whether a public debtor should be released from his debt, and be restored to his former condition, be brought before an assembly of the people.<sup>1</sup> Finally, an appointing of terms for payment by instalments (*τάξις*)<sup>2</sup> was allowed; and mention is made of very long terms, even ten years. But even to propose this, the same previous assurance of impunity was necessary.<sup>3</sup>

## CHAPTER XIV.

### OF THE CONFISCATION OF PROPERTY.

As a special branch of the public revenues, Aristophanes mentions the property confiscated and sold at public sale (*δημιόπρατα*).<sup>4</sup> An account of this property was required to be given to the people in their first assembly of each prytania.<sup>5</sup>

The punishment of confiscation of property, as unjust as it is

<sup>1</sup> Petit, IV. 9, 22. This was the *ἄδεια* περὶ τῶν ὀφειλόντων ὥστε λέγειν ἐξεῖναι καὶ ἐπιψηφίζειν, Andoc. concern. the Myst. p. 36, and in other passages. It is to be taken for granted, that when upon the intercession of kings, as in the cases mentioned by the Pseudo-Demosthenes as before cited, and by Plutarch, Demetr. 24, a debt was remitted, the *ἄδεια* had first, upon the ground of this intercession, been sought and obtained.

<sup>2</sup> Demosth. ag. Timocr. p. 715, Liban. Argument to the first speech ag. Aristog. p. 768. Hesychius: *τάξις ἢ ἐπὶ ὀφειλομένοις χρήμασι καταβολή*. In relation to the public debtors to whom this was granted, the expressions *τάσασθαι*, and *κατατάσασθαι* were used, Thucyd. III. 70. Speech. ag. Theocr. p. 1327, 6. Decree in behalf of Methone in Beilage XXI., Böckh's St. d. Athen. Vol. II. Comp. the general remarks upon the lists of tributes, Abschn. IV. There the excellent collection of proof passages made by Sauppe is also given. The "Securkunden" furnish an example of this paying by instalments (see concerning it, p. 212 of the introductory treatise).

<sup>3</sup> Demosth. ag. Timocr. p. 715, with reference to a law quoted on the same page.

<sup>4</sup> Aristoph. Wasps, 657, and the Schol. on the same; also Schol. Knights, 103. Respecting the tables of the *δημιόπρατα*, comp. Book II. 8.

<sup>5</sup> Pollux, VIII. 95; Schol. Æsch. Vol. III. p. 739; Lex. Rhet. in Photius by Porson, p. 672 (from Aristotle).

against the heirs innocent of the crime, sad as are the consequences which it occasions to families,<sup>1</sup> finally, however evidently it instigated to accusations and condemnations, in order that individuals and the tyrannical people might enrich themselves, was yet in ancient times one of the most usual punishments. All ancient authors, particularly Lysias, afford examples of it. Beside the proceedings against public debtors and their sureties, already mentioned,<sup>2</sup> the law required, in very many cases, confiscation of property, connected with infamy, banishment, slavery, or death. The three latter punishments always drew after them, at the same time, the loss of property; the banishment by ostracism (*οστρακισμός*), however, must be excepted, which was entirely different from the ordinary banishment (*φυγή, ἀειφυγία*). Confiscation of property is particularly mentioned in relation to those who were condemned for wilful murder,<sup>3</sup> to those who were banished by the Areopagus,<sup>4</sup> to temple-robbers, and to traitors<sup>5</sup> aiming at tyrannical power, or striving to overthrow the democracy. Thus, for example, the property of Pisistratus was several times sold to Callias. The person who killed a tyrant received the half of his property.<sup>6</sup> If any person gave in marriage a foreign woman to a citizen, pretending that she was a citizen, he became infamous, and his property was forfeited, the third part of it being given to the accuser. If a foreign man married a female citizen, his property and himself were sold, and the third part of the proceeds fell also to the accuser.<sup>7</sup> In the age of Demosthenes the foreign woman also, whom a citizen had married was sold, but probably only when it had been pretended that she was a citizen. Aliens under the protection of the state were sold together with their property, if they exercised

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<sup>1</sup> Speech. ag. Neera, p. 1347.

<sup>2</sup> Beside what was remarked when treating of the farming of the revenues, comp. speech. ag. Nicostrat. p. 1255, 1.

<sup>3</sup> Demosth. ag. Mid. p. 528; ag. Aristocr. p. 634, 23.

<sup>4</sup> Pollux, VIII. 99.

<sup>5</sup> Petit, VIII. 4, 4.

<sup>6</sup> Andoc. concern. the Myst. p. 49 sqq.; Petit, III. 2, 15. Comp. also Xenoph. Hellen. 1. 7, 10; Herod. VI. 121. After the archonship of Euclid this law was not in force in relation to what had occurred previously, but it certainly was with respect to offences of a subsequent date.

<sup>7</sup> Petit, VI. 1, 5, 6.

the rights of citizenship, did not pay the money required for protection when due, or lived without a patron (*προστούτης*).<sup>1</sup>

These are single cases, selected from the many on record. It was a favorite employment of the Athenians to take advantage of occasions for the confiscation of property, and they sought in particular, as Dichæarchus remarks of his times, to entrap the aliens under the protection of the state.<sup>2</sup> The misleaders of the people favored these measures, in order to increase the revenues of the state and their own incomes, and to procure the means for distributions of money among the people; of these Cleon is an example.<sup>3</sup> In Megara persons were frequently banished that their property might be confiscated, and the rich were maliciously and craftily calumniated in order to obtain possession of their estates.<sup>4</sup> Covetousness overcame the sense of rectitude, and injustice brought, through its natural consequences, retribution upon those states, since the multitude of the exiles, by their commotions and attempts to return, effected either the ruin of their country or revolutions in the government.

Beside the confiscation of the whole property there were also cases in which only a particular piece of property fell to the state; for example, mines in the possession of private persons, by the violation of the laws, and by the non-fulfilment of the obligations relating to them, reverted to the state,<sup>5</sup> and also commodities fell to the state, when the payment of the duty on the same had been eluded, and likewise if they had been measured with a false measure.<sup>6</sup> Finally, the property of those who died without heirs, probably, fell to the state. This case, however, may have as seldom occurred, as that of a person appointing the state his heir; as, for example, Callias devised his property to the people, in case he should die childless.<sup>7</sup>

Notwithstanding the frequency of the confiscation of property,

<sup>1</sup> Petit, II. 5, 2 sqq.

<sup>2</sup> Geogr. Min. Vol. II. p. 9, (p. 141, Fuhr). Comp. Dodwell, Diss. p. 6.

<sup>3</sup> Aristoph. Knights, 103, and Schol. In the latter *οὐσιῶν* is to be written instead of *οὐσιῶν*.

<sup>4</sup> Aristotle, Polit. V. 4, Schn. (V. 5).

<sup>5</sup> Speech ag. Phænipp. p. 1039, 20. I have given more particular information upon this subject in my Treatise upon the Silver Mines of Laurium.

<sup>6</sup> Respecting the former point, see Book III. 8, of the present work; for the latter, Beilage XIX. § 3.

<sup>7</sup> Andocid. ag. Alcib. p. 118.

the state appears to have derived very little real benefit from it, just as depriving the church of its property has for the most part but little benefited the states of modern times. Considerable sums were prodigally squandered; as, for example, the property of Diphilus, amounting to 160 talents. In many cases a part of the property was given to the complainant; generally, as appears from the examples quoted, a third part. In certain cases three parts of the property of a public debtor fell to him who made a specification of it with a view to its confiscation.<sup>1</sup> But this law appears to have applied only to cases where property had been concealed by the debtor, and had been discovered by the person who made the specification. A tenth of the property of persons condemned for treason, or for having sought to overthrow the democracy,<sup>2</sup> and probably also of all or most other confiscated property, belonged to the goddess. Much confiscated property fell entire to the temples, so that the treasury of the state received nothing from it.<sup>3</sup> And how much must have been illegally lost to the state by embezzlement, or by the sale of property at a low price! "You know," says in Lysias one threatened with the confiscation of his property,<sup>4</sup> "that a part of this property will be slipped aside by these persons (his adversaries), and that which is of great value will be struck off at a low price." "The commonwealth," he remarks, "derives less benefit from the confiscation of property, than if the proprietors should retain it, and perform from it the public services required by law." Furthermore, frequently the condemned person concealed his property under the names of others, or relations and friends presented claims upon it against the state. Finally, endeavors were made to excite sympathy by speaking of orphans, heiresses, old age, poverty, the supporting of a mother, and the like,<sup>5</sup> and it is a beautiful and laudable trait of character in the Athenian people, that this appeal was generally not ineffectual, but a part

<sup>1</sup> Speech ag. Nicostrat. p. 1247: τὰ τρία μέρη, ἃ ἐκ τῶν νόμων τῷ ιδιώτῃ τῷ ἀπογράφαντι γίγνεται.

<sup>2</sup> Xenoph. Hellen. I. 7, 10; Andoc. concern. the Myst. p. 48; judicial decree or judgment, in the Lives of the Ten Orators, p. 266.

<sup>3</sup> Examples are given in Beilage VII. § 10.

<sup>4</sup> Ag. Poliuch. p. 610.

<sup>5</sup> Speech. ag. Nicostr. p. 1255.



of the property was relinquished to the wife or the children.<sup>1</sup> In general the property confiscated was found, as is shown by the oration of Lysias for the property of Aristophanes, to be much less than was expected. If there was suspicion of concealment, new accusations arose from that circumstance. Thus when Ergocles, the friend of Thrasybulus, had lost his property by confiscation, on account of his embezzling thirty talents of money belonging to the state, and but a small amount had been found, his treasurer Epicrates was brought before the court, because it was believed that the property was concealed in his house.<sup>2</sup>

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## CHAPTER XV.

THE TRIBUTES OF THE ALLIES. THE ORIGIN OF THE SAME, AND OF THE RELATION WHICH EXISTED BETWEEN ATHENS AND THE ALLIED STATES. AMOUNT OF THE TRIBUTES PRIOR TO THE ANARCHY.

THE tributes (*γόροι*), as was acknowledged by the ancients themselves, furnished by far the most considerable revenue of the Athenian state.<sup>3</sup> But they were uncertain, because they were soon unjustly imposed, and on account of the commotions of war, and the desertion of the allies were frequently, with difficulty, or even not at all, collected.<sup>4</sup>

“Before the time of Aristides,” says Pausanias,<sup>5</sup> “all Greece was free from tributes;” thus wishing to derogate from the fame of that great man by a reference to the imposts which he laid upon the Greek islands. I doubt both whether the name of Aristides suffered through a measure which, at its commencement, was so noble and just, and whether the payments which

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<sup>1</sup> Demosth. ag. Aphob. I. p. 834, 6.

<sup>2</sup> Lysias ag. Ergocl. and ag. Epicrat.

<sup>3</sup> Thuc. I. 122; II. 13; VI. 91.

<sup>4</sup> For example, after the Sicilian war.

<sup>5</sup> VIII. 52.

he introduced were entirely new. Even while Sparta had the leading of the states of Greece certain moneys (*ἀποφορά*) were paid for the purposes of war, not uninterruptedly every year, but as occasion required.<sup>1</sup> When the Athenians succeeded to the place of the Spartans, Aristides received from the Greeks the commission to examine the territory and to ascertain the amount of the revenues of the states, and, according to the resources of each, to designate the contribution which it should furnish for the purpose of providing the fleet and army to be employed against Persia. The fairness of Aristides, the acquiescence in his apportionment, finally, the poverty in which he continued and died, have gained for him for all time the reputation of justice.<sup>2</sup> The sanctuary at Delos was the treasury for the tributes, and there also were held the assemblies in which all the allies united. The Athenians had only the presidency and the control of the funds through the *hellenotamiæ* appointed by them and from them. Even at the first establishment of the contributions, which seems to have occurred about Olymp. 76, 1 (B. C. 476), they were called tributes (*φόροι*),<sup>3</sup> and they amounted, according

<sup>1</sup> Comp. Otf. Müller, Dor. Vol. I. p. 180, first ed.

<sup>2</sup> Plutarch, Aristid. 24; Nepos, Aristid. 3; Æschin. ag. Ctesiph. p. 647; Demosth. ag. Aristocr. p. 690, 1; Diodor. XI. 47; and other authors.

<sup>3</sup> Thuc. I. 96; Nep. Aristid. 3; Diod. ut sup.; Dinarch. ag. Demosth. p. 30. Dodwell (Ann. Thuc. under Olymp. 77½), makes the date Olymp. 77, 3 (B. C. 470), and this date is not incompatible with the period in which Aristides lived. That Aristides was yet living in Olymp. 77, 3, cannot be denied; although it has been lately asserted that the date of his death was earlier. According to an account, which is indeed not well authenticated (in Plutarch's Apophth. Regg. et Imp. p. 116, Tüb. ed.), Aristides is said to have been present at the representation of "The Seven Chiefs against Thebes" of Æschylus. That tragedy was represented, according to the *didascalia* lately discovered by Frantz, in Olymp. 78, 1 (B. C. 468). The computation of Dodwell, however, rests upon a false foundation, since he reckons the ten years' duration of the hegemonia of the Spartans, as stated by Isocrates, Panath. 19, from the battles of Salamis and Plataea to Olymp. 77, 3 (B. C. 470), and the duration of the hegemonia of the Athenians of sixty-five years from the latter date until the battle of Ægospotami. This foundation of his computation has been shown to be false by Dahlmann, Forschungen auf dem Gebiete der Gesch. Vol. I. p. 45, Clinton in the sixth Appendix to the second volume of the Fast. Hell., and Krüger Histor. Philol. Studien, p. 35. We must, therefore, return to Diodorus, XI. 47. He there dates the apportionment of the tributes by Aristides in Olymp. 75, 4 (B. C. 477). I have, however, preferred the following year, because the regulation could not at all events be carried into execution until that date. Respecting the computation of the sixty-five years of the Athenian hegemonia from Olymp. 75, 4 (B. C. 477), or 76, 1 (B. C. 476), see Book III. 20, of the present work.

to the apportionment of Aristides, to 460 talents annually.<sup>1</sup> Even at that time it was specified which states should furnish their quota in money, and which in ships.<sup>2</sup> By the latter, of course, manned ships are to be understood.<sup>3</sup> Every thing was arranged by voluntary agreement for a common object.<sup>4</sup> For the maintenance of their liberty, the small and weak states readily united with the larger and more powerful ones. The ships of the allies rendezvoused where the Athenians were, and to those of them who had no ships, the latter even gave some.<sup>5</sup> And notwithstanding the payment of tribute, the allies, as their participation in the proceedings of the confederacy with certainty shows, were independent (*αὐτόνομοι*).<sup>6</sup> It was only gradually that they became entirely subjected to the power of the Athenians, and were exposed to their oppressions and ill-usage. It was not indeed without their own fault that they were reduced to this condition, since to avoid military service they supplied money and empty ships, and being frequently in arrears with respect to these supplies, they were tempted to renounce the alliance. But in this they could not be successful, because they themselves had resigned their power, and were not sufficiently prepared against the Athenians, strengthened at their cost.<sup>7</sup> Cimon readily received empty ships and money from those who did not wish to serve in person. He suffered the allies quietly to pursue the occupations of commerce, trade, and agriculture, whereby they became unfit for war. But, on the contrary, he frequently employed the Athenians, maintained from the contributions of the allies, in naval exercises; for they were always on board the ships, and they almost constantly had their weapons in their hands.<sup>8</sup> Although the Athenians were at first strict in

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<sup>1</sup> Thuc. ut sup.; Plutarch, Aristid. 24; Nepos, ut sup.; Suidas on the word ἑξελήνο-  
ταμία. Diodor. ut sup. incorrectly states the amount at 560 talents; although, on the  
other hand, he (XII. 40), gives too small a sum as the amount of the tributes under  
Pericles; namely, 460 talents.

<sup>2</sup> Thuc. as above cited.

<sup>3</sup> Comp. Thuc. I. 99; Plutarch, Cim. 11.

<sup>4</sup> Comp. beside other passages, Andoc. on the Peace, p. 107.

<sup>5</sup> Andoc. the same.

<sup>6</sup> Thuc. I. 97.

<sup>7</sup> Thuc. I. 99.

<sup>8</sup> Plutarch, Cim. 11.

demanding crews and ships, yet after the time of Cimon they favored the inclination of the allies. In the same degree, therefore, in which the military strength of the allies diminished, that of the Athenians increased, and with it their superciliousness and harshness toward the former.<sup>1</sup> The payment of the tribute was now considered a duty of the allies, while they no longer were allowed a voice in council. The transfer of the treasury from Delos to Athens gave the Athenians the absolute possession and control of the same, and manifested in the clearest light the true relation of the allies as tributary subjects to their sovereign lord.

From this period Athens employed their property and resources for the accomplishment of her own separate objects, and against their own welfare and freedom. This transfer of the treasury is dated without complete certainty in Olymp. 79, 4 (B. C. 461).<sup>2</sup> This date of this transaction is at least not consistent with the account, that Aristides was still living at the period of the proceedings concerning it. And it is even not improbable that it occurred some years earlier. The pretext alleged for it must have been the greater security against the barbarians, and the suggestion even came from one of the allied states, namely Samos, although doubtless by the direction of Pericles.<sup>3</sup> Aristides, it is reported, declared the undertaking, like the proposed burning of the dockyards of the Greeks, to be useful indeed, but unjust.<sup>4</sup> But if he had prevented the latter, he could not have been earnestly disposed, at least according to the judgment of Theophrastus, to prevent the transfer of the moneys deposited at Delos to Athens, and must have thought that in public affairs exact justice was not to be followed.<sup>5</sup> Pericles is said to have received the charge of the money brought to Athens.<sup>6</sup> He taught the Athenian people, that they were not accountable to the allies for

<sup>1</sup> Comp. Diodor. XI. 70.

<sup>2</sup> Dodwell, Ann. Thuc. for that year, from Justin, III. 6. Comp. "Abschn. III. der allg. Bemerkungen zu den Tributlisten," in Vol. II. of the original of the present work.

<sup>3</sup> Plutarch, Aristid. 25. The account of Justin, III. 6, also can be explained by the supposition, that the treasury was removed from Delos, in order to secure it from the barbarians; although Justin grounds the insecurity of the same upon the possibility of the Lacedæmonians renouncing the league.

<sup>4</sup> Plutarch, Themistocl. 20; Aristid. 22; Cic. Off. III. 11.

<sup>5</sup> Plutarch, Aristid. 25.

<sup>6</sup> Diodor. XII. 38.



these contributions, since they carried on wars in behalf of the latter, and protected them against the barbarians, without their furnishing a ship, a horse, or a heavy-armed soldier:<sup>1</sup> that on the contrary a part of the money should be expended upon what would at the same time procure them eternal glory, and promote their own interest; namely, upon the creation of immortal works of art, which, while they put every hand in motion, and furnished a livelihood for almost the whole city, at the same time would splendidly adorn it.<sup>2</sup> In fact never has a statesman more nobly employed the public revenues than Pericles, and thereby more effectually promoted the interests of commerce and trade, which were particularly favored by the extended relations, and the augmented naval force of Athens. But while he furnished the people a regular allowance of money, and built the wealth of his country upon maritime commerce, and her supremacy upon naval power, regardless of the interests of the landed proprietors, whose property he left exposed to devastation, he laid the foundation of the unlimited democracy. This result, as his diminishing the power of the Areopagus shows, was certainly a part of his plan, and to it even Aristides and Cimon, although in heart aristocrats, yielding to the spirit of the times, contributed their aid.

After Athens had thus taken possession of the common treasure, among the allies the relation of subjection to the Athenian State, (of which I will subsequently treat,) was gradually and completely formed. Nevertheless, Pericles seems not to have made any great alteration in the rate of the tributes, since under his administration they amounted to about six hundred talents.<sup>3</sup> The 140 talents, about the amount by which the contributions at that date exceeded the rate designated by Aristides, may easily have been added through the accession of new allies, the

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<sup>1</sup> Comp. upon this point, Book III. 16, of the present work.

<sup>2</sup> Plutarch, Pericl. 12. Comp. Isocr. *Συμμαχ.* 29.

<sup>3</sup> Thuc. II. 13; Plutarch, Aristid. 24. Comp. also Aristides, Plat. speech II. Vol. II. p. 149. Jebb. Diodor. (XII. 40), incorrectly states that the amount of the tributes under Pericles was 460 talents. The passage of Teleclides, in Plutarch, Pericl. 16, does not prove that Pericles raised or diminished the tributes in any considerable degree, but only that by his great influence he had the control of the adjustment of the tributes, as of the other relations of the state. Comp. the same 15, near the commencement. Concerning the Eubœan tributes in relation to Pericles, comp. schol. Aristoph. Clouds, 214.

purchase of exemption from military service, and the subjection of states previously independent. To the influence of such circumstances may be ascribed the increase of the tributes from the island of Eubœa, said to have been effected by Pericles. It is said of Alcibiades in the speech against him, ascribed upon doubtful authority to Andocides,<sup>1</sup> that he had persuaded the Athenians to make a new assessment in the place of that most just one made by Aristides, and that, having been appointed with nine others for that purpose, he had, upon an average, doubled the rates of the tributes to the allied states. Although not every particular in this assertion may be correct, yet it cannot be denied, that the participation of Alcibiades in the increasing of the tributes was not inconsiderable. This transaction occurred in the commencement of the public career of Alcibiades, a short time before the peace of Nicias, concluded in Olymp. 89, 3 (B. C. 422), or in the period immediately subsequent to that peace. For after this peace the Athenians raised annually more than twelve hundred talents, actually double, therefore, the previous amount;<sup>2</sup> and that after the date of this peace high tributes were raised, is confirmed by single examples.<sup>3</sup> Nevertheless, in the treaty by which that peace was established, it was stipulated that the tribute of a number of cities should remain as assessed by Aristides. Upon the whole, it is very doubtful, whether the tributes were increased at once, and not rather gradually, and in part even earlier than the date just mentioned.<sup>4</sup> It is pretty evident, that the amount, with respect to individual states, was sometimes increased, sometimes diminished, although in the average the whole sum raised may have been gradually increased.

<sup>1</sup> P. 116. *πρῶτον μὲν οὖν πείσας ἡμᾶς τὸν φόρον ταῖς πόλεσιν ἐξ ἀρχῆς τάξαι τὸν ἐπ' Ἀριστίδειον πάντων δικαιοτάτα τεταγμένον, αἰρεθεὶς ἐπὶ τούτῳ δέκατος αὐτός, μάλιστα διπλάσιον αὐτῶν ἐκάστῳ τῶν συμμάχων ἐποίησεν*, and what follows below on the same page. Also Aristid. Plat. speech II. Vol. II. p. 148; Jebb, and the schol. on the same (Vol. III. p. 510, Dindorf).

<sup>2</sup> Æschin. de fals. leg. p. 337; Andoc. speech on the Peace, p. 93.

<sup>3</sup> Allg. Bemerkungen zu den Tributlisten Abschn. V. Vol. II. of the original of the present work.

<sup>4</sup> The express stipulation in the treaty of peace negotiated by Nicias, that certain cities should pay the tribute, as it was apportioned by Aristides, warrants us to presume with certainty, that it had been increased even as early as that date. Comp. also with respect to the whole subject "die allgem. Bemerkungen zu den Tributlisten," as last cited.

With this Plutarch<sup>1</sup> also accords. According to him, namely, the leaders of the people, after the death of Pericles, gradually raised the tribute to thirteen hundred talents, not to defray the expenses of war, but to provide the means for the distributions of money, to defray the expenses of the sacrifices, and other similar expenses. The increase of the tributes was, according to the speech of Andocides, so oppressive to the allies, that many of them left their native country, and emigrated to Thurii. Whatever opinion may be formed of the authorship of this speech, yet this account is highly probable, when it is referred not to emigration in the mass, but to the removal of individuals, who felt themselves to be overburdened by the taxes in their native country, to settle in that city, which after Olymp. 86, 3 (B. C. 434), was no longer securely in the power of the Athenians. Even at an earlier period the tributes were already so oppressive, that the arrears, into which some of the states had fallen, occasioned revolt.<sup>2</sup> On the other hand, the account of the scholiast on Aristides,<sup>3</sup> that Alcibiades increased the tributes to that degree that the inhabitants of the islands could scarcely raise the required amount, even by selling their own children, is a rhetorical exaggeration.

Concerning the assessment of individual states, which used to be made every four years,<sup>4</sup> the ancient authors furnish no further information than this, that Cythera after it became subject to the Athenians (Olymp. 88, 4, B. C. 425), paid four talents,<sup>5</sup> and Nymphæum in the Tauric Chersonese a talent.<sup>6</sup> More copious information is furnished by the various lists of tributes, or of certain quotas of tribute, in the inscriptions for the most part lately published, of which we have more amply treated in the twentieth supplement (Beilage) in the second volume of this work.<sup>7</sup>

<sup>1</sup> Aristid. 24. When he states that the tributes were increased threefold, he means from 460 talents. This number increased threefold would make 1,380. It is not intended, that by that expression we should understand an increase exactly threefold. Rangabé, *Antt. Hell.* p. 286, from inadvertence, speaks of a tenfold increase.

<sup>2</sup> Thuc. I. 99.

<sup>3</sup> Vol. III. p. 510. Dindorf.

<sup>4</sup> Treatise on the Athenian State, 3, 5. Comp. "allg. Bemerkungen über die Tributlisten Abschn. II."

<sup>5</sup> Thuc. IV. 57. Comp. allg. Bemerkungen über die Tributlisten Abschn. VI.

<sup>6</sup> Craterus in Harpocr. and Phot. on the word *Νύμφαιον*, comp. the same allg. Bemerk. Abs. VI.

<sup>7</sup> See the same in the original work. — (Tr.)

According to all that we find in these lists, the oppressive nature of these imposts cannot be denied, chiefly because in order to pay them, all the money was gradually transported out of the country to Athens, and the states were, besides, obliged to provide for their own necessities. Particular, favored states alone were spared; among others Methone, which at a certain period was assessed at the small sum assigned to the goddess from the whole amount of the tributes.<sup>1</sup> Also, in other inscriptions the tributes are often mentioned; since there must have been innumerable proceedings concerning them. In two fragments we find a decree relating to the method of proceeding in actions and controversies concerning the tributes;<sup>2</sup> in others,<sup>3</sup> nothing which in any respect furnishes us with more particular information than we already possessed.

Finally, from the date of Olymp. 91, 4 (B. C. 413), in place of the tributes, and in the hope of obtaining a higher revenue, the duty of the twentieth was introduced. How much it produced we know not, and it appears not to have been long continued.<sup>4</sup> The battle of Ægospotomi put an end for a time to the tributary condition of the allies. Hence the board of the *hellenotamiæ*, which had been constituted in a previous age, for the purpose of managing these moneys, was abolished.<sup>5</sup> On the other hand, the Spartans raised from the subject allies after that period annually more than a thousand talents of tribute.<sup>6</sup>

<sup>1</sup> Beilage XXI. Comp. allg. Bemerk., etc. Abs. V.

<sup>2</sup> C. I. Gr. No. 75 (comp. also the Add.); Rangabé, *Antt. Hell.* No. 279. Comp. respecting these controversies, the Treatise upon the Athenian State, 3, 5.

<sup>3</sup> The inscription concerning Thera. This I have partially restored in the article *Thera* in the catalogue of the tributary cities in Vol. II. p. 689 of the original of this work. See Rangabé, *Antt. Hell.* No. 269, and the inscriptions in the same, No. 263, 264, 265, 266.

<sup>4</sup> See Chap. 6, of the present Book.

<sup>5</sup> See Book II. 7, of the present work. There, and in Chap. 3, all the information concerning the collection and management of the tributes, necessary to the understanding of the subject, is presented.

<sup>6</sup> Diodor. XIV. 10.



## CHAPTER XVI.

## OF THE ALLIES PRIOR TO THE ANARCHY.

EVEN before the period of the anarchy, tribute was not paid by all the allies; but both in this respect, as well as in others, the relations of the Athenian alliance were very diverse. Many of the allies had contracted with Athens treaties relating to military, or naval service only, and had furnished mercenaries; as, for example, the Arcadians, who were the Swiss among the Greeks, also the Acarnanians and the Cretans. Others were, either from inclination or from regard to their own interest, voluntarily connected with the Athenians, for a certain period, by express alliances, defensive or offensive (*ἐπιμαχία*, or *συμμαχία*). Argos was frequently thus connected; and in the very commencement of the Peloponnesian war Coreyra, Zacynthus, the Messenians of Naupactus, and the Platæans.<sup>1</sup> These alliances were dissolved after the expiration of the stipulated term, unless they were expressly renewed; and with them the payment of a tribute was never connected.

We will here treat only of the permanent allies. They may be divided into two classes, the independent (*αὐτόνομοι*), and the subject (*ἐπίχοοι*) allies. Undoubtedly the former possessed (to mention the most important distinction between them) full jurisdiction. The subject allies, on the other hand, were compelled to prosecute their lawsuits at Athens.<sup>2</sup> Precisely in what this restriction, with respect to the latter consisted, however, no one has as yet investigated. We must first remark, that Casaubon,<sup>3</sup>

<sup>1</sup> Comp. Thuc. II. 9; VI. 85; VII. 57.

<sup>2</sup> Valesius, p. 333 seq. of his notes upon Maussac on Harpocr., has already collected some information upon this point, together with other matter relating to the *δίκαι ἀπὸ συμβόλων*.

<sup>3</sup> On Athen. IX. p. 407, B, καθ' ὃν δὲ χρόνον θαλασσοκρατοῦντες Ἀθηναῖοι ἀνῆγον εἰς ἄστυ τὰς νησιωτικὰς δίκας. *Ἀνῆγον* does not mean *traduxerunt*, as Casaubon translates it, but *evocabant*, and the sense of the passage is, "during the period in which the Athenians decided the lawsuits of the inhabitants of the islands at Athens." Respecting

merely through misunderstanding of a passage of Athenæus, conceived the opinion, that Athenian officers called nesiarchs,

the expression *ἀνάγειν*, comp. Hudtwalker v. d. Diät. p. 123. The passages cited by him, however, are not precisely similar to the one before us. The grammarians include these lawsuits (one of them even appealing, for confirmation, to Aristotle) among the *δίκαι ἀπὸ συμβόλων*, Lex. Seg. p. 436, 1; Hesych. Vol. I. p. 489; Pollux, VIII. 63, however, mentions the allies in general, not the subject allies in particular. How far the assertion of the grammarians may be justified, is shown by Schömann, Att. Prozess, p. 777 sqq. At all events the relation of the subject allies to Athens, with respect to jurisdiction, was very different from that suggested by the common idea of the *δίκαι ἀπὸ συμβόλων*, since the latter included a certain reciprocity. And since citizens of subject states were obliged to prosecute at Athens their lawsuits against citizens of other subject states, and even against their own fellow-citizens, this expression could only by a great abuse, and compulsively, be applied to that relation of dependence. It does not appear, from the above ancient authorities, that this relation was included in the idea of the *δίκαι ἀπὸ συμβόλων*. In Thucydides, I. 77, the Athenians say: καὶ ἐλασσοῦμενοι γὰρ ἐν ταῖς ξυμβολαῖαις πρὸς τοὺς ξυμμάχους δίκαις καὶ παρ' ἡμῖν αὐτοῖς ἐν τοῖς ὁμοίοις νόμοις ποίησαντες τὰς κρίσεις φιλοδοκεῖν δοκοῦμεν. Here, it is thought, that a proof is found that the jurisdiction to which the allies were subject was comprehended in the idea of the *δίκαι ἀπὸ συμβόλων* which were indicated by the expression *ξυμβολαῖαι δίκαι*, (comp. among others Platner, Att. Prozess, und Klagen, Vol. I. p. 111). I cannot, however, convince myself, that *ξυμβολαῖα δίκη* was a *δίκη ἀπὸ ξυμβόλων*, but must consider, as others who have preceded me have done, *ξυμβολαῖα δίκη*, a *δίκη* relating to *ξυμβόλαια*, an idea, which the expression first of all suggests. And so also did the scholiast understand it, when he employed the words ἐν ταῖς συναλλαγματικαῖς χρεῖαις in explanation. The sense of the whole passage is so controverted, that any thing concerning the signification of this expression can hardly be derived from it. But whatever may be the meaning of *ἐλασσοῦμενοι*, in which the principal difficulty lies, it can by no means be proved, from the connection, that by the phrase *ξυμβολαῖαι δίκαι* in this passage, *δίκαι ἀπὸ ξυμβόλων* are to be understood, and by them the lawsuits of the subject allies which were decided at Athens alone. In C. I. Gr. No. 86, however mutilated the inscription is, yet *δίκαι ἀπὸ ξυμβόλων* between Athens and the inhabitants of Phaselis are indisputably mentioned. But the inscription is of a date subsequent to the archonship of Euclid, at which date we can no longer conceive of a subjection of the inhabitants of Phaselis to Athens. The passage of Antiphon concern. the Murd. of Herod. p. 745, suggests, with tolerable definiteness, that the *δίκαι ἀπὸ συμβόλων* were different from the lawsuits of the allies which were carried on at Athens. The speaker says of his father, that he lived contentedly in Ænos, οὐκ ἀποστερῶν γε τῶν εἰς τὴν πόλιν οὐδενὸς οἷδ' ἐτέρας πόλεως πόλιτος γεγενημένους, ὥσπερ ἐτέρους ὁρῶ τοὺς μὲν εἰς τὴν ἡπειρον ἰόντας καὶ οἰκοῦντας ἐν τοῖς πολεμίοις τοῖς ἡμετέροις καὶ δίκας ἀπὸ ξυμβόλων ἡμῖν δικάζομένους, οὐδὲ φεύγων τὸ πλῆθος τὸ ἡμέτερον, τοὺς δ' οἷους ἡμεῖς μῖσων συκοφάντας. Schömann, p. 778, objects, on the contrary, that this passage does not indicate, that the persons mentioned in it could not also at home carry on *δίκαι ἀπὸ συμβόλων* against Athenians, but only that they preferred to do it in foreign countries, because they wished in those countries to be very troublesome to the Athenians, and were there not restrained by fear. But what advantage would the complainant have gained, if he should leave his country, and yet the action brought from the country to which he should go could be decided in no other manner than it would have been, if he had remained at home? Platner, p. 112 seq., goes still further, since he lays special weight upon the word *πολεμίοις*. For

(although no Athenian officers ever existed under that name,) had, in the early periods of the alliance, decided the lawsuits of the inhabitants of the islands; and that afterwards, when the latter were divested of power, they were obliged to prosecute their litigations at Athens. But the truth is, that as soon as jurisdiction was taken from the allied states, it was immediately given to the Athenian courts. The model of this regulation, by which Athens obtained the greatest influence and a tyrannical power over the allies, was probably taken from other Greek states which had subject allies; as Thebes, Elis, and Argos. But, on account of the distance of many of the allied countries from Athens; it was impossible that every trifling cause could be prosecuted there. We must suppose that each subject state had an inferior jurisdiction, and Athens the jurisdiction of the more important causes only. How can it be conceived that persons would travel from Rhodes or Byzantium to Athens on account of a lawsuit for fifty or one hundred drachmas? In private actions a sum of money was probably designated, above which the inferior courts of the allied state had no jurisdiction. Suits for larger sums were brought at Athens. Hence, through this limitation of jurisdiction, the augmentation of the amount of the *prytaneia* at

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the dwelling among enemies could not bring as a consequence the *δικάζεσθαι ἀπὸ ξυμβόλων*, because *σύμβολα* were contracted only with friendly states. According to him, therefore, the sense of the passage is: they lived indeed among enemies, but prosecuted the Athenians upon the ground of the treaties of their former country with the latter. But what then were these treaties? Those according to which the lawsuits originating in their former country were decided at Athens. How would the course indicated have benefited the complainant then, if he prosecuted upon the ground of the treaties of his native country, and were thus exposed to the arbitrary decision of the Athenians? We must also take into consideration the words that follow: *οὐδὲ φεύγων τὸ πληθος τὸ ἑμέτερον*, etc., which favor neither Schömann's, nor Platner's explanation. My father, says the orator, does not seek to avoid by flight the judgment of the Athenians, as those who leave their country, and then institute *δίκαι ἀπὸ ξυμβόλων*. If the *δίκαι ἀπὸ ξυμβόλων* were similar to those lawsuits of the subject allies, which were exclusively decided at Athens, that member of the sentence would be without signification. In short only upon the supposition, that the former offered more security for the attainment of justice, has the passage of Antiphon any significance. The word *πολεμίους* I consider only a strong rhetorical expression. The places which are by it indicated may have been temporarily engaged in war with the Athenians, and yet they may have had treaties with the latter, which, when harmony should be externally restored, would be again in force. For in those times enmity and friendship were often and quickly interchanged. What Aristotle, to whom one of the grammarians appeals, may have said, cannot with certainty be known.

Athens,<sup>1</sup> which were deposited in private actions alone. But the public and penal actions were of much more importance to the Greeks accustomed to freedom, as they are to all free citizens. These were certainly for the most part decided at Athens; and the few definite accounts relating to the legal proceedings of the ancient Athenians, which have been preserved to us, refer to lawsuits of that nature. Thus, for example, Isocrates<sup>2</sup> mentions sentences of death against persons who were citizens of allied states; the lawsuit of the Thasian Hegemon in the age of Alcibiades, was undoubtedly a public action;<sup>3</sup> and the speech of Antiphon on the murder of Herodes, is a defence of a Mytilenean, against whom a penal action had been brought after the revolt of the Mytilenean state, in consequence of which it became a subject state, and its territory was distributed among cleruchi. From the latter speech we learn, that no subject state had the right of punishing an accused person with death, with-

<sup>1</sup> Treatise on the Athenian State, I. 16. I will also cite, in reference to this point, the passage of Thuc. I. 77, which supposes, that the *συμβολαῖαι δίκαι* of the Athenians with the allies were decided at Athens. See the preceding note.

<sup>2</sup> Panath. 24.

<sup>3</sup> What kind of a lawsuit that of Hegemon of Thasus was (Chamæleon in Athen. as before cited) is uncertain. It may not improbably be considered a *γραφὴ ὑβρεως* against the somewhat coarse wit of the parados, which even resulted in acts of violence, so that Hegemon, we know not where, allowed himself to be so far carried beyond the bounds of decorum as to throw stones from the stage into the orchestra. Upon such an occasion acts of violence might easily have arisen. That the action at law was a public one may be concluded from the account itself. Some person, perhaps a Thasian, had instituted an action against Hegemon, and brought (or summoned) him to Athens. Hegemon applied for assistance to the Dionysian artists, and they went in a body to Alcibiades with the request that he would aid Hegemon. Upon this Alcibiades, as is well known, erased the accusation which was exposed to public view in the Metroum. For a private action, this raising a party, and the entire application to Alcibiades, seem to be acts of too much importance. Also Chamæleon three times employs the usual expression for the public actions: *γραφῶν ἀμείνων τις καὶ τὸν Ἠγήμονα δίκην*—ὅπου τῶν δικῶν ἦσαν αἱ *γραφαί*—*τοῦ τὴν δίκην γραφῶν ἀμείνων*: although, to be sure, *γράφεσθαι* and *γραφὴ* are sometimes used in reference to private actions. It does not follow from the exposure of the accusation to public view, that the action was a public one (see Schömann, Att. Proz. p. 605), nor from its exposure in the place mentioned; although the example of the accusation against Socrates, which was also even at a later date exposed to view in the Metroum (Diog. L. II. 40), shows that the accusations brought in public actions were drawn up in writing, and there exposed to public view. Moreover the fact that the whole theatrical corps was summoned to the assistance of Hegemon, confirms me in the above conjecture that the lawsuit arose from a theatrical representation.



out the permission of the Athenians;<sup>1</sup> but the preliminary investigation must necessarily have taken place in the state in which the cause of action originated.<sup>2</sup> In it the Athenian officers, appointed for the state in which the investigation took place, may have participated.<sup>3</sup>

Moreover, the independent allies must have had the right of deciding for themselves in relation to war and peace, and have participated in the passing of the decrees, at least in form, although the ascendancy of the Athenians deprived the latter right of significance. The subject allies, in accordance with their legal obligations, submitted to the will of the Athenians. Both the independent and the subject allies had their own public officers. If this is doubted with respect to the subject allies, I will prove it by citing the example of the archons of Delos. These are mentioned as existing in Olymp. 86 and 100–101 (B.C. 436 and 380–376); a period during which Athens held Delos in such subjection, that it was in possession of its sanctuary, and managed the business and worship of the same by its own officers. Nevertheless, Athens certainly appointed archons of its own, also, in the states of the subject allies. These may be compared with the harmostæ of the Spartans.<sup>4</sup> Thus, for ex-

<sup>1</sup> Page 727, ὁ οὐδὲ πόλει (to a subject state like Mytilene) ἐξεστὶν ἄνευ Ἀθηναίων οὐδένα θανάτῳ ζημιῶσαι. Helus, the person represented as the speaker in this speech, was the son of one of the ancient inhabitants of Mytilene. This is shown by the account given of his father (p. 742–746), who was at Mytilene at the time of the revolt, and had his children and his property there at that time, but subsequently removed to Ænus. In page 743 it is said of his children and property: ἱκανὰ γὰρ ἦν τὰ ἐνέχυρα, ἃ εἶχετο αὐτοῦ, οἳ τε παῖδες καὶ τὰ χρήματα. The former reading εἶχετο is to be restored, for which Reiske, without calling attention to the alteration in a note, but only indicating it by an asterisk, has substituted εἶχετε. The children and the property of the man were not at Athens, as Reiske supposed, but at Mytilene. For that very reason, says the orator, his father could not have left Mytilene, because there were those pledged to detain him. The son, Helus, ranks himself, p. 713, among the foreigners: p. 737, he calls Ephialtes τὸν ὑμέτερον πολίτην; so, p. 739, οἱ Ἑλληνοταμίαι οἱ ὑμέτεροι.

<sup>2</sup> This is evident from the same speech of Antiphon, p. 719 sqq., since the examination had been held, the torture had been applied, and in general the whole investigation had been completed previously at Mytilene. In addition to this Heffter, *Ath. Gerichts-verf.* p. 86, correctly remarks, that the torture, as a general rule, was applied extrajudicially by the parties themselves.

<sup>3</sup> To them I refer the passage in Antiphon. p. 727.

<sup>4</sup> Παροστ. ἐπίσκοποι· Ἀντιφῶν ἐν τῷ περὶ τοῦ Λαυδίων φόρου, καὶ ἐν τῷ κατὰ Λαισποδίου· οἱ παρ' Ἀθηναίων εἰς τὰς ὑπηρέτους πόλεις ἐπισκέψασθαι τὰ παρ' ἐκάστοις πεμπόμενοι, ἐπίσκοποι καὶ φύλακες ἐκαλοῦντο, οὓς οἱ Λακωνες ἄρμοστῆς ἔλεγον. Θεόφραστος γοῦν ἐν

ample, Polystratus,<sup>1</sup> one of the four hundred, had been an archon at Oropus. We find such officers mentioned as existing in the subject state Samos even prior to the Peloponnesian war;<sup>2</sup> one, even at as late a period as the time of Æschines, in Andros.<sup>3</sup> Beside these officers, the subject allies had in time of war Athenian commanders or phrurarchi in the cities, together with garri-sons, when it was thought necessary. Of the above-mentioned archons, that class of them who were called *episcopi* are known to us by name. Antiphon had mentioned them in his speech concerning the tribute of the Lindians, and in his speech against Laispodias,<sup>4</sup> and they are also mentioned, together with the phrurarchi, in inscriptions.<sup>5</sup> Both these classes of officers evidently had great influence. We also find mention, in relation to these states, of so-called secret officers (*κρυπτοί*), who performed certain duties, we know not what, in secret.<sup>6</sup> It cannot be proved that there were Athenian officers similar to those above mentioned in the independent states also; except that their military forces were commanded by an Athenian general.<sup>7</sup> Both kinds of the allied states, doubtless, managed their internal affairs independently, and could pass decrees; the subject states, to be sure, only within the limited sphere allowed to them. That every decree of the latter required a ratification from Athens, or the Athenian officers,<sup>8</sup> is incredible.

πρώτῳ τῶν πολιτικῶν τῶν πρὸς καιροῦς φησιν οὕτω· Πολλῷ γὰρ κάλλιον κατὰ γε τὴν τοῦ ὀνόματος θέσιν, ὥς οἱ Λάκωνες ἄρμυστῆς φύσκοντες εἰς τὰς πόλεις πέμπειν, οὐκ ἐπισκόπους οἶδε φύλακας, ὥς Ἀθηναῖοι. This article abridged is found in Suidas. The term φύλαξ is used in Thuc. IV. 104, in reference to the Athenian commander at Amphipolis.

<sup>1</sup> Lysias for Polystr. p. 569.

<sup>2</sup> Thuc. I. 115.

<sup>3</sup> Æsch. ag. Timarch. p. 127. The passage relating to Mytilene in Antiphon concerning the Mord. of Herodes, p. 727, also undoubtedly has reference to such archons, not to the officers in Athens itself; also the fragment of a law in the Birds of Aristophanes, 1049: *ἔαν δέ τις ἐξελαίνῃ τοὺς ἀρχοντας καὶ μὴ δέχηται κατὰ τὴν στήλην.*

<sup>4</sup> Harpocr. and Suid. on the words *ἐπίσκοποι* or *ἐπίσκοπος*; comp. schol. Aristoph. Birds, 1023. In Lex. Seg. p. 254, they are called *ἐπισκέπται*.

<sup>5</sup> C. I. Gr. No. 73, and as I believe, No. 73 b, in the Add. of the first volume.

<sup>6</sup> Lex. Seg. p. 273. *Κρυπτή*: ἀρχὴ τις ὑπὸ τῶν Ἀθηναίων πεμπομένη εἰς τοὺς ὑπηκόους, ἵνα κρύβῃ ἐπιτελέσωσι τὰ ἐξω γενόμενα. διὰ τοῦτο γὰρ καὶ κρυπτοὶ ἐκλήθησαν.

<sup>7</sup> As the example of Chios shows, Thuc. VIII. 9.

<sup>8</sup> This may not be concluded from the decree of the people of Delos, C. I. Gr. No. 2270. For this is of the period while Delos was occupied by Athenians themselves as cleruch; and, beside this, the application therein indicated for the ratification of the decree was voluntary, and not necessarily requisite.

The obligation to pay tribute was originally not incompatible with independence, and even in later periods it was not absolutely identical with dependence or subjection. But the independent allies of the Athenians were in general free from tribute, and were only under an obligation to furnish ships manned *οὐχ ὑποτελεῖς φόρον, ναῦς δὲ παρέχοντες: ναυσὶ καὶ οὐ φόρῳ ὑπάρχουσι: νεῶν παροχῇ αὐτόνομοι*: the subject allies, on the contrary, paid a tribute (*ὑποτελεῖς, φόρον ὑποτελεῖς*).<sup>1</sup> It is not to be overlooked, however, that the subject allies, notwithstanding their payment of tribute, were also soon compelled to serve in the fleet, or by land. Thus, for example, Thucydides remarks,<sup>2</sup> in his account of the commencement of the Peloponnesian war, in relation to these very subject allies, that they furnished land-troops and money. Milesians,<sup>3</sup> and of them even so large a number of hoplitæ as two thousand, Andrians, Carystians,<sup>4</sup> Methonæans,<sup>5</sup> and allies in general,<sup>6</sup> are mentioned in reference to the same war, as divisions of troops which aided the Athenians. Subject allies also followed them to Sicily;<sup>7</sup> and before the battle near the islands Arginusæ, more than thirty ships were pressed from the allies, with the exception of Samos, and all persons among them upon whom they could lay their hands were compelled to embark upon them.<sup>8</sup> The Athenians used to summon the allies to march against the enemy (*στρατιῶν ἐπαγγέλλειν*).<sup>9</sup> This certainly seems to have reference to the subject, as well as to the independent allies. But, as Thucydides says, whatever and as much as could be obtained, and whatever was adapted to the purposes of war, was taken from them.<sup>10</sup> Hence it may be concluded,

<sup>1</sup> Thuc. VII. 57; II. 9; VI. 85.

<sup>2</sup> II. 9.

<sup>3</sup> Thuc. IV. 42, 53, 54.

<sup>4</sup> Thuc. IV. 42.

<sup>5</sup> Thuc. IV. 129.

<sup>6</sup> Thuc. V. 2. Comp. IV. 53. The Lemnians and Imbrians are also, in Thuc. IV. 28, manifestly designated as particular divisions of the army.

<sup>7</sup> Thuc. VI. 43; VII. 20.

<sup>8</sup> Xenoph. Hell. I. 6, 25, Schn. Perhaps, also, crews of the allies were mentioned in the inscription in Rangabé, No. 265, 266, which I have quoted in a note to Book II. 22, of the present work.

<sup>9</sup> Thuc. VII. 17. The phrase *αὐτόθεν (ἐκ τῶν συμμάχων) καταλόγους ποιεῖσθαι*, Thuc. VI. 26, may also be quoted in reference to this point.

<sup>10</sup> Thuc. VII. 20: *νησιωτῶν ὅσοις ἐκασταχόθεν οἶόν τ' ἦν πλείστοις χρῆσασθαι, καὶ ἐκ τῶν ἄλλων συμμάχων τῶν ὑπηκόων, εἰ ποθέν τι εἶχον ἐπιτήδειον ἐς τὸν πόλεμον ξυμπορίσαντες*.

that they were, for the most part, not regularly organized for military service. This service was only in part compelled, in part the states sent the troops required from good-will, but hardly upon their own cost; the pay of the same must have been furnished by Athens.<sup>1</sup> So that Plutarch<sup>2</sup> could with justice represent Pericles as saying in general, that the allies furnished not a ship, nor horse, nor heavy-armed soldier. For the tribute was not introduced in the place of furnishing empty ships, but to purchase exemption from the obligation to furnish troops.<sup>3</sup> Finally, independence, together with the obligation to pay tribute to Athens according to the apportionment of Aristides, and without any alliance with the same, was secured in the peace of Nicias, Olymp. 89, 3 (B. C. 422) to the following cities, which were not then in the power of the Athenians, and consequently not in alliance with them; namely, Argilus, Stagirus, Acanthus, Scolus, Olynthus, and Spartolus. They were, by the terms of the treaty, not to be allies (*ἑτάμοιχοι*) either of the Athenians or of the Lacedæmonians, and the Athenians were only allowed to induce them thereafter to form an alliance with themselves by voluntary agreement, and without any attempt at compulsion by force of arms; since armed attacks were expressly forbidden. The same relation was extended also to Mecyberna, Sane, and Singus, which were still in the power of the Athenians, and in the alliance.<sup>4</sup>

It is remarkable, that in this treaty the payment of a tribute was imposed upon the *autonomi*, while at the same time those who paid it were not on that account to become allies. Indeed, one might be inclined to infer from this, that both the tributary,

<sup>1</sup> The distinction made by Thuc. VII. 57 between the *ἐπὶ ἡκοὶ* and the *μισθοφόροι* is no proof against this assertion, as will easily be perceived upon close consideration of the passage.

<sup>2</sup> Pericl. 12.

<sup>3</sup> Plutarch, Cim. 11; Thuc. I. 99.

<sup>4</sup> Thuc. V. 18. *Μηκυβερναίους δὲ καὶ Σαναίους καὶ Σιγγαίους οἰκεῖν τὰς πόλεις τὰς ἐαυτῶν καθάπερ Ὀλύνθιοι καὶ Ἀχάνθιοι.* I can understand this to mean only, that the same conditions were allowed to these three cities, which had been granted to the Olynthians and Acanthians. Arnold also understands it in the same way. That in this particular reference was made to Olynthus and Acanthus only, not to Argolis and to the other cities also, may have been owing to peculiar circumstances. The stipulation which relates to the voluntary accession to the Athenian alliance is not inconsistent with the supposition, that those three cities already belonged to it. But rather their continuance in it was referred to their own option.



as well as the autonomous allies, were bound *by treaty* as allies (*ἑτάμαχοι*), to the performance of other services beside the payment of tribute; for example, to furnish troops, which we have just denied: and that the circumstance that those Thracian tributary autonomi were not bound to the performance of the same services, was an indication that they were not to be allies of the Athenians. This is, however, only apparent. Those autonomous, tributary states, which were not to be included in the Athenian alliance, received an intermediate and hybrid position, devised specially for them. But it by no means follows from that fact, that the tributary allies were bound by treaty to furnish troops. The relations of the several parties were as follows. By that form of independence devised for those Thracian cities, with which was connected the obligation to pay tribute without admission into the alliance, they were distinguished, as well from the independent as from the subject allies. The independent allies did not pay tribute; they were bound, however, to furnish troops, because they were allies. But the above-mentioned autonomous cities were not to be allies, if they did not wish to be, and were not to furnish the Athenians, therefore, with any troops. The subject allies of the Athenians were deprived of their independence. They had in their states Athenian officers, commanders, and also frequently garrisons, were subject to Athenian jurisdiction, paid tribute, were obliged to submit upon emergencies to compulsory military service, notwithstanding they had purchased exemption from it, or else furnished a voluntary contingent of troops. Those cities above mentioned paid tribute, it is true, but they were in all other respects free, and aided neither the Athenians nor their adversaries. In brief, the tributary autonomi in Thrace were not at all allies of the Athenians. They paid only the small tribute, apportioned by Aristides, to satisfy the claims of Athens, to whom they had formerly been subjected. But, as it was left to their option to enter again into the Athenian alliance, if they should have acceded to it, there must have been an essential change of their position. And in what this change would have consisted, it is not difficult to say. They would then have become either independent or subject allies. In either case they would have been under the protection of the Athenians. In the former case they would have retained their independence, but would have

been bound by treaty to furnish a contingent of troops, and would have been then, if they fulfilled their obligations, free from tribute. In the latter case they paid such an amount of tribute as the Athenians chose to impose upon them, received public officers, commanders, and troops from the Athenians, submitted to Athenian jurisdiction, and also sometimes were obliged to yield to what they could not avoid, compulsory military service, or they voluntarily furnished a contingent of troops. Moreover, these different relations of the Athenian allies may be deduced from their history.

Those became subject allies, who either originally had offered to pay tribute, instead of entering into an obligation to perform military service, or who afterwards allowed the obligation to furnish a contingent of troops to be changed into an agreement to pay tribute, or who, employing their forces in war against Athens, had been subdued. Those alone remained independent and free from tribute, whose position was the opposite of these three cases. Some of them obtained independence connected with an obligation to pay tribute, who had been tributary and subject allies, but by a special treaty between Sparta and Athens were to be allowed independence, while at the same time an entire release from the previous obligation to pay tribute had not been obtained from the Athenians. Also it cannot be denied that the Athenians were excusable, not only for taking tribute from those who did not perform military service, but even for depriving them of jurisdiction. They paid the tribute out of what Athens had preserved, or procured for them,<sup>1</sup> and they did not deserve an independent jurisdiction, if they would not bear arms. But the gradual subjection by the Athenians of many of the independent allied states is certainly a reproach to them, although the confederacy would have been much sooner dissolved without this violent measure.

We further remark, that independence, in relation to the allied states, was called simply freedom (*ἐλευθερία*), but to their subjection an expression was rhetorically applied, which strongly characterized that condition, namely, slavery (*δουλεία, καταδούλωσις*).<sup>2</sup> This may not in all cases be considered equivalent to the con-

<sup>1</sup> Isocr. Panath. 25.

<sup>2</sup> Thuc. I. 98; III. 10; V. 9, 92; VI. 76, 77, 80; Isocr. *Συμμαχ.* 16; Diodor. XV. 19; Plutarch, Cim. 11, and frequently elsewhere. Comp. the Treatise on the Ath. State, I. 18

verting of the inhabitants into slaves (*ἀνδραποδισμός*). The term, slavish subjection, might especially be applied to that condition of the allied states in which the citizens were not only deprived of independence, but at the same time their property was taken from them, and given to new colonists, of whom the former inhabitants, if they did not emigrate, became tenants in a state of dependence. This did not differ much from the condition of the Helots, or of the Penestæ.

At the breaking out of the Peloponnesian war only three of the states allied to Athens were still independent, namely, Chios, and in the island of Lesbos, Mytilene and Methymna.<sup>1</sup> Many others, which had been once independent, as Thasos and Samos, for example, had lost their fleet, and their freedom. The first state which was reduced to a condition of slavish subjection was the revolted Naxos. Previously to its revolt and subjection it had probably not even paid tribute, but had furnished ships; as, for example, at the battle of Salamis.<sup>2</sup> The other Cyclades were reduced to the same condition, with the exception of Melos, which had been colonized by the Spartans, and adhered to them, and of Thera which also was by some classed among the Cyclades.<sup>3</sup>

The centre of these islands was the sacred Delos, revered by all the Greeks on account of the religious worship offered there from ancient times, and once the seat of an amphictyonia. The Athenians seem to have had claims to this island, or at least to the sanctuary, at an early period, since Erysichthon, the son of Cecrops,<sup>4</sup> is said to have gone thither on account of some religious solemnities, and Pisistratus made a purification of the island.<sup>5</sup> The possession of it became highly important to them, after they began to aim at the supremacy, for the acquisition of

<sup>1</sup> Thuc. II. 9; III. 10; VI. 85; Comp. VII. 57.

<sup>2</sup> Herodot. VIII. 46. Respecting its subjection, see Thuc. I. 98: *ἐδουλώθη παρὰ τὸ καθ' ἑστέγκος*. By this I do not understand that the Naxians were reduced to a condition of slavery, but of complete dependence, since they were to pay tribute, and lost their independence; a position until then unprecedented. Thucydides uses the expression *ἐδουλώθη* designedly in distinction from the expression *ἀνδραποδίσαι* in the preceding context. Perhaps, also, at that date cleruchi had been sent to Naxos as a garrison, and that the Naxians became their tenants.

<sup>3</sup> Thuc. II. 9.

<sup>4</sup> Pausanias, I. 18, 31; Phanodemus in Athen. IX. p. 392, D.

<sup>5</sup> Herodot. I. 64.

which religion is a powerful instrument. They caused some Delian soothsayers to foretell, that Athens would obtain the dominion of the sea.<sup>1</sup> They soon wholly appropriated the sanctuary of Apollo, caused repeated purifications of Delos to be made, expelled, Olymp. 89, 2 (B. C. 423), the original inhabitants under the pretext of impurity, and settled the island with Athenians, because the former were liable to the suspicion of attachment to Sparta. They were, however, compelled to restore them at the command of the oracle.<sup>2</sup> For the purpose of weakening the influence which the Athenians exercised through the possession of this temple, it would have given the Spartans an advantage to have wrested it from them; and only because he lacked political wisdom could the king of Lacedæmon, Pausanias, the son of Pleistonax, while he held Athens blockaded, scornfully and contemptuously reject the request of the Delians for the restitution of their sanctuary.<sup>3</sup> Hence the Athenians continued in its uninterrupted possession and management through their Amphictyons. They had not lost possession of it in Olymp. 108, 3 (B. C. 346); for the Delians at that date, or a short time thereafter, endeavored, in the Amphictyonic council at Pylæ, to vindicate their claims to it against Athens. The defence of the Athenians was presented by Hyperides, as their advocate (*σύνδικος*) in the often-quoted Delian oration.<sup>4</sup>

Beside this group of islands there belonged to the subject allies all the other islands, which are included by a line running from Byzantium along the coast of Europe to Cythera near the promontory Malea, thence north of Crete by Carpathos and

<sup>1</sup> Semus the Delian in Athen. VIII. p. 331, F.

<sup>2</sup> Thuc. I. 8; III. 104; V. 1; VIII. 108; V. 32; Pausan. IV. 27; Diodor. XII. 73, 77.

<sup>3</sup> Plutarch, Lacon. Apophthegm. together with the emendation of Dorvill. de Delo Misc. Obs. Vol. VII. Part I.

<sup>4</sup> Demosthenes on the Crown, p. 271 sq.; Lives of the Ten Orators in the Life of Æschines; Apollon. in the Life of Æschines; Schol. Hermog. p. 389. I treat this subject, and the subject of the entire relation of Athens to the temple at Delos more in detail in my explanation of an Attic document which has reference to the same, *Schriften der Akad.* of the year 1834. Some small additions to it, which I could give, it would not be appropriate here to present. The assertions of others, contradictory to my statements, cannot induce me essentially to alter the account there given. For example, the representation that the lawsuit above-mentioned was not brought before the Amphictyons at Pylæ, but before those of Delos, who were a board of Athenian officers, scarcely merits a refutation.



Rhodes to Doris, and thence northerly along the Asiatic coast to Chalcedon,<sup>1</sup> except the above-mentioned independent states, and the islands belonging to the Lacedæmonians. Of the latter Cythera first fell into the power of the Athenians in Olymp. 88, 4 (B. C. 425), and Melos, after an obstinate defence, in Olymp. 91, 1 (B. C. 416).<sup>2</sup> Thera must have been subjected earlier, before Melos.<sup>3</sup> Many of them had been distinguished for their ancient power and wealth; as, for example, Paros,<sup>4</sup> one of the Cyclades, Thasos abounding in the precious metals, the flourishing and powerful Samos,<sup>5</sup> whose inhabitants after the defeat of the Athenians in Sicily obtained their independence.<sup>6</sup> Rhodes, Ægina, which was made tributary in Olymp. 80, 4 (B. C. 457),<sup>7</sup> and Eubœa, whose five principal cities, Chalcis, Eretria, Carystus, Styra, and Histiaæ were all under Athenian dominion,<sup>8</sup> and were in part colonized. And although the smaller islands were, considered singly, of small importance, yet together they comprised no inconsiderable power, when all lying in the above-mentioned circuit are collectively reckoned, even to the distant little islands Carpathos, Casos, and Chalce,<sup>9</sup> which were included among the allied States. Among the subject states, Thucydides also classes the coast of Caria, the Dorians, who were adjacent to the Carians, Ionia, the Hellespont, and the Greek provinces in Thrace.<sup>10</sup> In these states were famous and powerful cities, as Halicarnassus, Cnidus, Miletus, which had once furnished eighty ships against Darius,<sup>11</sup> and which aided the Athenians with infantry, Ephesus, Colophon, celebrated for its cavalry, Teos, Priene, Erythræ, and others. Ionia in particular supplied the Athenians with a very considerable revenue.<sup>12</sup> Beside the above-mentioned

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<sup>1</sup> This is the substance of the accounts of Thucydides in passages already cited.

<sup>2</sup> Respecting the former, see Thuc. IV. 54. Comp. VII. 57.

<sup>3</sup> See the Catalogue of the Tributary Cities in the Beilagen to Vol. II. of the original work.

<sup>4</sup> Herod. VI. 132; Nepos, Milt. 7; Steph. Byz. from Ephorus.

<sup>5</sup> Thuc. VIII. 73, 76. Samos once furnished against Darius the son of Hystaspes sixty ships, the Chians a hundred, the Lesbians sixty; Herodot. VI. 8.

<sup>6</sup> Thuc. VIII. 21.

<sup>7</sup> Diodor. XI. 75; Thuc. I. 108.

<sup>8</sup> Thuc. VI. 76, 80; VII. 57.

<sup>9</sup> Respecting the two last, comp. Schol. Thuc. II. 9.

<sup>10</sup> Thuc. II. 9. Comp. VI. 77.

<sup>11</sup> Herodot. VI. 8.

<sup>12</sup> Thuc. III. 31.

states I will name also Cyme, Abydos, Lampsacus, Parion, Cios, Cyzicus, Proconesus, Chalcedon, Byzantium,<sup>1</sup> Selymbria, Perinthus, the Thracian Peninsula, the southern coast of Thrace, and Macedonia, together with its narrow necks of land and promontories, where lay the important cities Abdera, Amphipolis, Olynthus, Acanthus, Torone, Mende, Scione, Potidæa.<sup>2</sup> Among these latter cities, Amphipolis, on account of its revenue and ship-timber, was specially important to the Athenians.<sup>3</sup> Macedonia is also, in speeches of the later periods, represented to have been tributary.<sup>4</sup> Finally, Oropus in Bœotia also belonged to the Athenian subject states.<sup>5</sup>

But a more complete enumeration than we can give from ancient authors, and from mere conjecture, is furnished by the inscriptions relating to the tribute, which are published in the supplements to the second volume of the original of the present work. From the general remarks upon the same, one may obtain information respecting the division of all the tributary states into certain provinces and rubrics, and we there also examine why the names of many places, as Delos, Amphipolis, Oropus, which we should expect to find mentioned, do not appear in the lists of tributary states and places.

Now, although Athens, even in her most flourishing periods, could not always be entirely secure of the submission of each one of the subject states, yet it is readily perceived that so many subjects laid the foundation of no insignificant power; and when Jason is represented in Xenophon<sup>6</sup> to have spoken contemptuously of the little islands which supplied a revenue to Athens, this contempt could not with truth be applied to the earlier periods of the alliance. Aristophanes, in his comedy of the Wasps<sup>7</sup> (Olymp. 89, 2, B. C. 423), reckons a thousand tributary cities, and founds on that estimate a facetious proposal

<sup>1</sup> Respecting this city, see Thuc. I. 117; Xenoph. Anab. VII. 1, 27; and other authors frequently.

<sup>2</sup> Respecting its tributary condition before the revolt see a clear passage, Thuc. I. 56.

<sup>3</sup> Thuc. IV. 108. Respecting the Chalcidian cities, comp. also Thuc. I. 57, 58; where, beside the above-mentioned cities, the Bottiæans are also mentioned.

<sup>4</sup> Speech concern. Halonnes. p. 79, 20; and in the speech *πρὸς Φιλ. ἐπιστ.* p. 156, 17.

<sup>5</sup> Thuc. II. 23.

<sup>6</sup> Gr. Hist. VI. 1, 4.

<sup>7</sup> Wasps, 795.

for the maintenance of the Athenian citizens; namely, that the support of twenty of them should be assigned to each city: a sufficient proof that a thousand cannot, as the Greek commentator maintains in the commencement of his note upon the passage, here mean many. According to the lists of the tributes paid to Athens which are extant, however, so many cities or states individually paying tribute to Athens cannot be assumed. How many of them there may probably have been, and how it may have happened that Aristophanes should give that number, I have examined in the sixth section of the general remarks on the lists of the tributes.

I only remark here, that each city did not pay individually, but that frequently several cities paid under one name, and that sometimes several of them were united in the payment, and again a number of them which had been united with others, were disconnected from the rest, and formed a separate union. The latter was probably done especially for the purpose of exacting still more tribute. According as a greater or less number of cities or states were included under one item of the account of the tributes, the payment required of each individually would have given a very different result. Omitting what is manifest from the lists above mentioned, I will only collect some accounts from ancient authors, for which the inscriptions give further proofs. Of the latter I will quote, however, but a small portion. The grammarians quote two speeches of Antiphon, one upon the tribute of the Lindians,<sup>1</sup> the other upon that of Samothrace.<sup>2</sup> Antiphon was an opponent of Alcibiades, against whom he delivered a speech, and whose recall from banishment, under the government of the four hundred, he endeavored to prevent. On these circumstances is the conjecture founded, that these speeches were directed against the increase of the tributes effected by Alcibiades; since the allies, being extremely discontented with the measure, may have applied to Antiphon, as an enemy of

<sup>1</sup> Harpocr. on the words ἐπίσκοποι, ἀπειπεῖν, ἄττα, ἐπαγγελία, προσφορά, συνήγοροι, τριβωνερόμενοι, Ἀμφίπολις. In the last article instead of ΑΗΝΑΙΩΝ, should be written, with Valesius, ΑΙΝΔΙΩΝ.

<sup>2</sup> Harpocr. and Suid. on the word ἀπόταξις; Harpocr. on the words ἐκλογεῖς, αἰεῖ, ἀποδιδόμενοι, συντελεῖς; Suid. on the word Σαμοθράκη; Priscian, Vol. II. p. 292; Krehl. according to my emendation, Ἀντιφῶν Σαμοθρακικῶ, which is derived from the Munich MS. (see Spengel, in the Appendix to Varro de L. L. p. 630).

Alcibiades. And since one of the two speeches of Antiphon just mentioned treated of the tribute of the Lindians, it is perceived that all of the inhabitants of the island of Rhodes did not pay collectively, although its three principal cities, Lindus, Ialysus, and Camirus, were, even before the foundation of the collective city of Rhodes, closely connected. The inscriptions not only confirm this, but they even show that some small places belonging to Lindus were, even before the political career of Alcibiades, separated again in the payment of the tribute from that city; so that it is so much the more probable that just complaints may have been made, in the time of Alcibiades, of overburdening the Lindians. Of the other speech of Antiphon, that concerning the tribute of Samothrace, a fragment is extant. From it it is perceived that the Samothracians themselves were represented as the speakers, since some events of the early history of Samothrace are therein related, as of the native country of the speakers.<sup>1</sup> They speak, moreover, of course, against some burden imposed upon them. In the same speech something occurs concerning those who collectively paid the tribute (*συντελεῖς*),<sup>2</sup> and also of the separating and dividing them so that they should be compelled to pay singly (*ἀποτάξις*).<sup>3</sup> We gain, therefore, from this speech, these two ideas and expressions, for the history of the tributes essentially important. But whether these expressions in the passage in which they are found, had a more distant or a direct reference to the tribute of Samothrace, cannot be ascertained. The latter, however, is not improbable, since it may have been designed to separate some small place in Samothrace itself, or some place on the continent belonging, perhaps, to the Samothracians.<sup>4</sup>

<sup>1</sup> It is singular that the passage in Suid. on the word *Σαμοθάκη* has not been discerned to be a fragment of Antiphon: *καὶ γὰρ οἱ τὴν ἄρχὴν οἰκίσαντες* (read *οἰκίσαντες*) *τὴν νῆσον ἦσαν Σάμοι· ἐξ ὧν ἡμεῖς ἐγενόμεθα· κατωκίσθησαν δὲ ἀνάγκη, οὐκ ἐπιθυμία τῆς νήσου. ἐξέπεσον γὰρ ὑπὸ τυράννων ἐκ Σάμου, καὶ τύχη ἐχρήσαντο ταύτην, καὶ λείαν λαβόντες ἀπὸ τῆς Θράκης ἀφικαίνονται ἐς τὴν νῆσον.* Respecting the history of the events to which allusion is made, see Heraclides, *Fragm.* 21, ed. Köler; *Pausan.* VII. 4; *Lex. Seg.* p. 305, 9; *Eustath.* and *Villois.*, *Schol.* on *Il.* v. 13; ω, 78.

<sup>2</sup> *Harpoer.* *Συντελεῖς· οἱ συνδαπανῶντες καὶ συνεισφέροντες· τὸ δὲ πρᾶγμα συντέλεια καλεῖται, ὡς ἴσθιν εἶπεν ἐν τῷ Ἀντιφῶντος περὶ τοῦ Σαμοθρακῶν φόρου.*

<sup>3</sup> *Harpoer.* (*Suid.* *Zonar.*). *Ἀποτάξις· τὸ χωρὶς τετάχθαι τοῖς πρότερον ἀλλήλοις συντεταγμένοις εἰς τὸ ἐπιτελεῖν τὸν ὁρισμένον φόρον. Ἀντιφῶν ἐν τῷ περὶ τοῦ Σαμοθρακῶν φόρου.*

<sup>4</sup> *Comp.* with respect to uniting and separating the tributary states and cities, the "allg. Bemerkungen zu den Tributlisten, Abschn. VI." Böckh. *St. d. Athen.* Bd. II.



## CHAPTER XVII.

OF THE TRIBUTES AND ALLIES AFTER THE PERIOD OF THE  
ANARCHY.

ALTHOUGH the defeat at Ægospotami deprived the Athenians of all their allies, even of the islands Lemnos, Imbros, and Scyros,<sup>1</sup> yet they gradually acquired new allies again, since ten years later (Olymp. 96, 2, B. C. 395), the alliance between Athens, Bœotia, Corinth, and Argos, induced some of the allies of Sparta, namely, Eubœa, and the Chalcidians in Thrace, to revolt. Conon's victory at Cnidos procured them Samos, Methone, Pydna, and Potidæa, together with twenty other cities. Among them were Cos, Nisyros, Teos, Chios, Ephesus, Mytilene, Erythræ. Diodorus names also the Cyclades in general, and even Cythera.<sup>2</sup> The conquest of the whole of Lesbos is ascribed to Thrasybulus. He also restored the power of the Athenians in the Hellespont, and even the sound-duties at Byzantium (Olymp. 97, 1, B. C. 392). The greater part of the Asiatic-Greek coast, the most of the islands, even the distant Rhodes, followed Athenian rule.

Although our information concerning the relations of the allies to Athens in this age is incomplete, yet we have not the least doubt that the former relations were, for the most part, restored, namely, the obligation to pay tribute, and a certain condition of dependence. Athens exercised her naval supremacy anew, and almost all Greece was subject to her, as it was also at a later date, after the campaigns of Timotheus.<sup>3</sup> But the fatal peace of Antalcidas (Olymp. 98, 2, B. C. 387) left the Athenians their own ancient islands only, Lemnos, Imbros, and Scyros. Asia, including Clazomenæ and the island of Cyprus, were assigned

<sup>1</sup> Andoc. Speech on the Peace, p. 95.

<sup>2</sup> Dinarch. ag. Demosth. p. 11 ; Diodor. under Olymp. 96, 2, and the commentators.

<sup>3</sup> Isocr. Areopag. 5.

to Persia; all the other cities and islands became independent.<sup>1</sup> Not even the Thracian Chersonesus and the colonies remained to Athens. Their landed possessions in foreign countries, and even their claims for debt, were lost.<sup>2</sup> The Spartans, it is true, soon violated this treaty, but more to their own advantage than to that of the Athenians; since the Greeks still continued to adhere to the Spartans. It was not until after Olymp. 100, 3 (B. C. 378) that the Athenians succeeded, through a favorable combination of circumstances, and by a prudent and humane demeanor, in establishing for a time their power anew. Respecting this event, in accordance with our object, we will add but little; for only from a detailed history of the Greeks could a complete narrative of all the events relating to the Athenian alliance be expected.

After Athens, in the above-mentioned year, in the archonship of Nausinicus, had made the noblest exertions to support Thebes against the Spartans, and to wrest the Cadmea from its foreign garrison, and the plans of the Spartans had miscarried, in Olymp. 100,  $\frac{3}{4}$  (B. C. 377), Byzantium, Chios, Mytilene, and Rhodes revolted to Athens,<sup>3</sup> and a new alliance arose, which gradually increased. The whole of Eubœa, with the exception of Histiea, which remained faithfully devoted to the Spartans, united with the Athenians.<sup>4</sup> Chabrias subdued Peparethus, Sciathos, and other small islands;<sup>5</sup> the naval victory gained near Naxos by the same general (Olymp. 101, 1, B. C. 376), decided the maritime supremacy of Athens, while at the same time the Spartans had but little success by land.<sup>6</sup> The Athenians, after the taking of Abdera, soon reëstablished their power more firmly in Thrace; although the most powerful state, Olynthus, adhered to the Lacedæmonians. To the west, their power extended to Coreyra. The peace effected among the Greeks, Olymp. 101, 2 (B. C. 375), by the mediation of Artaxerxes, by which independence was

<sup>1</sup> Xenoph. Hellen. V. 1, 28; Diodor. XIV. 110; Isocr. *Συμμαχ.* 22. Comp. the speech of Andoc. on the Peace, p. 95, 96.

<sup>2</sup> Andoc. speech on the Peace, p. 96. Comp. p. 107.

<sup>3</sup> Diodor. XV. 28.

<sup>4</sup> Diodor. ib. 30.

<sup>5</sup> Diodor. ib.

<sup>6</sup> Diodor. XV. 35, and the commentators. Respecting the date of the battle of Naxos, see Clinton, F. H.

assured anew to all the states, remained ineffectual. The Spartans, after the taking of Coreyra, and the victory of Timotheus at Leucas, even entirely yielded to the Athenians the supremacy (*ἡγεμονία*) at sea. The peace of Olymp. 102, 1 (14 Sciroph.) (B. C. 371), together with the subsequent battle of Leuctra, broke still more the power of the Spartans, and in Olymp. 102, 4 (B. C. 369), an equal participation in the hegemonia by sea and land was conceded by them to the Athenians.<sup>1</sup> The subsequent capture of Torone and Potidæa,<sup>2</sup> in Olymp. 104, 1 (B. C. 364), gave the Athenians great influence in Thrace. Thus their power again extended, from the Thracian Bosphorus to Rhodes, over the islands and a part of the cities on the continent.

The merit of having so greatly increased their country's power belongs especially to the generals Chabrias, Iphicrates, Timotheus, the son of Conon, and to the orator Callistratus. Timotheus, in particular, gained much commendation, both on account of his military exploits and also on account of his dexterity in acquiring allies.<sup>3</sup> He even added to the alliance the Epirots, the Acarnanians, and the Chaonians. The obligation to pay tribute, however, was certainly not imposed upon them.<sup>4</sup> It was ascribed to his management that seventy-five independent states formed the confederate council at Athens.<sup>5</sup> The eloquence of Isocrates exalted his fame. As Polybius and Panætus accompanied Scipio, so that orator attended Timotheus in his campaigns, as his friend, and wrote for him letters and reports to the Athenians. The portrait of Isocrates was dedicated by Timotheus in the temple of Ceres at Eleusis.<sup>6</sup> That fragment of his speech on the exchange of property, but lately discovered,<sup>7</sup> raises a memorial to the unfortunate hero, by which the reader is in some measure compensated for the great tediousness of the rest of the

<sup>1</sup> Diodor. XV. 38; Nepos, Timoth., 2; Isocr. on the Exchange of Property, p. 69, Orell. Respecting the Treaty in Olymp. 102, 4, see Xenoph. Gr. Hist. VII. 1; Diodor. XV. 67.

<sup>2</sup> Diodor. XV. 81, and the commentators.

<sup>3</sup> The principal passages are Xenoph. Gr. Hist. V. 4, 64 sqq.; Diodor. XV. 36, 47 sqq.; and Nepos.

<sup>4</sup> Nepos and Diodor.

<sup>5</sup> Æschin. *περὶ παραπρεσβ.* p. 247. Diodor. (XV. 30) inaccurately mentions seventy.

<sup>6</sup> Lives of the Ten Orators, p. 237, 241.

<sup>7</sup> P. 66 sqq. Orell.

speech. According to it, no general had ever taken by force so many and so powerful cities as Timotheus. He subdued not less than twenty-four cities of such importance that, in some cases, with them the whole circumjacent country fell into the power of the Athenians. Among them are named by Isocrates, Corcyra, Samos, Sestos, Crithote, Potidæa, and Torone. Corcyra had even at that time eighty triremes. He also turned again the attention of the Athenians to the Chersonesus, which they had neglected. Beside his great abilities, he was element toward the allies, and even toward enemies and prisoners. His military discipline was exemplary. Under his command nothing was known of banishments, massacres, or expulsions of the inhabitants of conquered countries or places, of the dissolution of forms of government, or of the destruction of cities.

The new alliance of the Athenians, as it existed after Olymp. 100, 4 (B. C. 377), was at first founded upon milder principles than the former. The states, by treaty independent, formed at Athens a confederate council (*συνέδριον*).<sup>1</sup> In it they had without distinction a seat and voice, under the presidency and guidance of Athens. Thebes also applied for admission into this council, and was received. The name of a synedrion, which by the Macedonian form of government was everywhere diffused, was not used, for the first time, in reference to this council. Herodotus<sup>2</sup> employs it in reference to a council of war, consisting of the representatives of allied states; Diodorus,<sup>3</sup> in reference to the confederate council held under the guidance of Sparta (*κοινὸν συνέδριον τῶν Ἑλλήνων*), and in reference to the more ancient confederate council of the Athenians. The Amphietyonic council and other confederate councils,<sup>4</sup> the Areopagus and other deliberative assemblies, were so called in the age of Demosthenes. Immediately upon the establishment of this confederate council the Athenians abolished their cleruchiæ, and passed a law that no Athenian should cultivate land out of

<sup>1</sup> Diodor. XV. 28.

<sup>2</sup> VIII. 75, 79.

<sup>3</sup> XI. 55, 70.

<sup>4</sup> Comp. Demosth. concern. the Crown, p. 232, 19; Æschin. ag. Ctesiphon, p. 445, 446; p. 513; p. 645; and elsewhere. I will also add in relation to the usage, Lex. Seg. p. 302. *Συνέδριοι: οἱ ἀπὸ τῶν συμμάχων μετὰ τῶν Ἀθηναίων βουλευόμενοι περὶ τῶν πραγμάτων*



Attica,<sup>1</sup> in order thereby to show the allies how much they repented their former injustice. For the purpose of introducing an expression less harsh than the odious name of tributes, which were again collected, the Athenians called them contributions (*συντάξεις*).<sup>2</sup> The inventor of this name for them was Callistratus. Hence it is sufficiently manifest, that it first came into use at this very period, since in Olymp. 100, 4 (B. C. 377), this orator was military and naval commander, in conjunction with Timotheus and Chabrias,<sup>3</sup> and at a later date also, (Olymp. 101, 4, B. C. 373), with Chabrias and Iphicrates. He held this office, not because he was endowed with military talents, but on account of his political ability,<sup>4</sup> a qualification at that period especially required in a general.

Nevertheless, the moderation of the Athenians did not continue long, and the allies, with the exception of Thebes, which was only voluntarily united with Athens, fell into their former oppressed condition. The Athenians stationed garrisons in the cities;<sup>5</sup> the tribute again became compulsory. And for this reason the old name (*φόρος*) may have been applied to it by some authors of a later period.<sup>6</sup> Isocrates expressly remarks,<sup>7</sup> that the states were compelled to pay contributions (*συντάξεις*) to Athens, and that for this reason fleets, as formerly, were sent

<sup>1</sup> Diodor. XV. 29.

<sup>2</sup> This name is officially used in an inscription (Bullet. del' Inst. di corrisp. arch. 1835; Davidoff, Reisen, Bd. II.; Anhang, p. XXXV: τῶν συντάξεων τῶν ἐν Λέσβῳ) of the time of Chares, Charidemus, and Phocion. See, besides, Plutarch, Solon, 15; Harpocr. Phot. on the word *σύνταξις*; Etym. M. p. 736, 9. Comp. Lex. Seg. p. 300. In Isocrates the *συντάξεις* are often mentioned; as, for example, in Areop. 1; *Συμμαχ.* 13; on the Exchange of Property, p. 70, Orell. In the last passage he refers to the *συντάξεις τὰς ἀπὸ Θράκης* under Timotheus, as in Demosth. ag. Timoth. p. 1199, also the *συντάξεις* under Timotheus are mentioned. In Panath. 44, he connects *συντάξεις καὶ φόρους*, but he appears here particularly to have in view the ancient *φοροί*. To cite all the passages in which the *συντάξεις* are mentioned would be superfluous.

<sup>3</sup> Diodor. XV. 29.

<sup>4</sup> Xenoph. Gr. Hist. VI. 2, near the end. He here calls him *εὖ μάλα ἐπιτήδειον ὄντα*, as the passage is with certainty to be corrected.

<sup>5</sup> Isocr. *Συμμαχ.* 6.

<sup>6</sup> So Ælian, V. H. II. 10, in a narration of the time of Timotheus, and perhaps the ignorant Scholiast on Æschines against Timarchus, whose work Bekker has published in the "Schriften der Akad." of the year 1836, p. 234; although what he says hardly corresponds with the *συντάξεις*.

<sup>7</sup> *Συμμαχ.* 11. The date of this speech corresponds with the end of the Social War.

out to collect them,<sup>1</sup> and that the allies were also compelled to send ambassadors to the confederate council, and that not much, therefore, would be said about their independence. The Athenians seem, also, to have apportioned the tributes arbitrarily, even at a later date, when their power had been violently shaken. There is a passage referring to this point, a very obscure one, however, in the speech against Theocrines. Probably, some of the allied states wished to have their burdens lightened, and to this the decree had reference, which Automedon proposed in favor of the inhabitants of Tenedos, but which Theocrines at first endeavored to have rejected as unconstitutional. Thucydides proposed a similar decree in favor of the Ænians in Thrace, who had been tributary in the Peloponnesian war, and who, therefore, also paid tribute in the time of Philip. Since this proposal, which related to the contribution (*σύνταξις*), was also attacked by Charinus and Theocrines as unconstitutional, and was rejected by the people, the Ænians were obliged to pay the same contribution which they had formerly given to Chares. Upon this they revolted, and received into their city a barbarian garrison.<sup>2</sup> To these new tributes Jason refers in Xenophon.<sup>3</sup>

That with the increasing power and arrogance of the Athenians, the compulsory jurisdiction at Athens was also introduced, all proof and every trace fail. Isocrates, in his Panathenaic oration,<sup>4</sup> speaks of the adjudication of the lawsuits of the allies at Athens, and of their condemnation there, as of an old affair;

<sup>1</sup> Plutarch, Phoc. 7. This account of the *νησιωτικαὶ συντάξεις* belongs to the time of Chabrias.

<sup>2</sup> Speech ag. Theocr. p. 1333, 1334. In this passage the words *ὁ Θεονκιδίδης εἶπε* should be restored. Concerning the tributary condition of the Ænians, as well as of the inhabitants of Tenedos, in the earlier periods of the Athenian alliance, comp. Thuc. VII. 57, and the lists of the tributes.

<sup>3</sup> Hell. VI. 1, 4 (12 Schn.). *καὶ χρήμασί γε δῆπον εἰκὸς ἡμῶς ὑποβουτέροις χρῆσθαι* (namely, compared with the Athenians) *μὴ εἰς νησὶδρια ἀποβλέποντας, ἀλλ' ἡπειρωτικὰ ἔθνη καρπουμένους. πάντα γὰρ δῆπον τὰ κύκλῳ φόρον φέρει. ὅταν ταγεύηται τὰ κατὰ Θεοταλίαν.* The expression *φόρος* is not here used in reference to the tributes paid to the Athenians, but is applied to the tributes of the lands which Jason had in view.

<sup>4</sup> Char. 23, 24. *τὰς τε δίκας καὶ τὰς κρίσεις τὰς ἐνθάδε γιγνομένας τοῖς συμμάχοις; and again: οἷον καὶ νῦν, ἣν μνησθῶσι τῶν ἀγῶνων τῶν τοῖς συμμάχοις ἐνθάδε γενομένων, τίς ἐστὶν οὕτως ἀφύης, ὅστις οὐχ εἰρήσει πρὸς τοῦτ' ἀντειπεῖν ὅτι πλείους Λακεδαιμόνιοι τῶν Ἑλλήνων ἀκριτοὺς ἀπεκτόνασι τῶν παρ' ἡμῖν, ἐξ οὗ τὴν πόλιν οἰκοῦμεν, εἰς ἀγῶνα καὶ κρίσιν καταστάντων.*

and although this oration was written at a very late date (about Olymp. 109, 2, B. C. 343), yet there is not the least indication in it that this compulsory jurisdiction had at any time existed in the new alliance, even for a short period.

But apart from this, it is manifest from the consequences alone which followed the alliance, that the allies were deprived of real independence, and that an oppressive dominion was substituted in its place. From this the subject states endeavored to release themselves. As early as Olymp. 104, 1 (B. C. 364), Chios, Byzantium, and Rhodes had entered into relations with Epaminondas.<sup>1</sup> At length, in Olymp. 105, 3 (B. C. 358), they, together with the Coans, who had been in a state of rebellion since Olymp. 103, 3 (B. C. 366), formally revolted.<sup>2</sup> Byzantium even aimed at a dominion of its own, and after the social war still held possession of Chalcedon and Selymbria; which cities had both once been in the Athenian alliance, and, according to the treaty of peace, the one was to belong to the king, and the other to be independent.<sup>3</sup> This war continued three years, until Olymp. 106,  $\frac{1}{2}$  (B. C. 355). It ruined the revenues of the Athenians by the great expenditures which it occasioned, through the loss of the tributes, and the devastation of the Athenian islands, and ended with the independence of the revolted states. During this war, also, several Thracian allied states were lost. Some of them became independent; as Amphipolis, for example. Others were taken from them by Philip; as, for example, the cities Pydna and Potidæa, which were given to the Olympians. At the breaking out of the sacred war, therefore, (Olymp. 106, 2, B. C. 355), the revenues from the tributes must have been much diminished.

At a later date, the Eubæan cities were detached from the alliance by the Macedonians, the remaining possessions in Thrace and in the Chersonesus were conquered. The state gradually lost those seventy-five cities which Timotheus had induced to unite in the confederate council, beside 150 ships, and large sums of money.<sup>4</sup> Athens, however, was never entirely without

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<sup>1</sup> Diodor. XV. 79, and Wessel. on the same.

<sup>2</sup> Diodor. XV. 76.

<sup>3</sup> Demosth. on the Freedom of the Rhodians, p. 198.

<sup>4</sup> Æschin. *περί παραπρ.* p. 247.

allies, up to the period of her complete subjection. But, in the latter periods of its decline, it could neither protect them, nor maintain the supremacy over them. Even pirates disputed the possession with the Athenians, and the latter contended no longer for the independent states, but for the islands, which had been most peculiarly their own; since Philip even attacked Lemnos, Imbros, and Scyros.<sup>1</sup>

Concerning the amount of the tributes in the latter periods of the alliance, after the breaking out of the social war, we have the least information. Without stopping to consider the statement founded upon a misunderstanding, that they still, at the period during which Lycurgus managed the finances, amounted to twelve hundred talents, I will direct attention to their insignificant amount at the time when, after the social war, at the end of Olymp. 106 (B.C. 355), Demosthenes began to inveigh against Philip. At that time not Chios, nor Rhodes, nor Corcyra, but only the weakest islands, adhered to Athens. The whole contribution (*σύνταξις*) amounted to only forty-five talents, and even this small sum was collected in advance.<sup>2</sup>

Demosthenes acquired for his country in a later period more powerful allies, the Eubœans, Achæans, Corinthians, Thebans, Megarians, Leucadians, Corcyræans.<sup>3</sup> But the contributions of these states depended, of course, more upon their own freewill, than those of the earlier allies. Æschines speaks of the unfortunate islanders, who, in the time of Chares, were obliged to pay an annual contribution (*σύνταξις*) of sixty talents.<sup>4</sup> Perhaps this branch of revenue at a later period increased again to the amount of 130, and even of four hundred talents. We cannot prove this, however, but may only assume it as probable for the purpose of explaining a passage in the fourth Philippic, of which I will subsequently speak.<sup>5</sup> We may cite, in confirmation of this supposition, the passage, also, in which is ascribed to De-

<sup>1</sup> Æschin. *περὶ παραπρ.* p. 251.

<sup>2</sup> Demosth. on the Crown, p. 305.

<sup>3</sup> Demosth. the same. The decree of the people in the Appendix to the Lives of the Ten Orators, p. 276, omits the Leucadians and the Corcyræans, and names in their place the Byzantines (of whom, however, Demosthenes had previously spoken), the Locrians, and the Messenians.

<sup>4</sup> Æschin. *περὶ παραπρ.* p. 250.

<sup>5</sup> See Chap. 19, of the present Book.



mosthenes the merit of having acquired contributions (*σύνταξις χορημάτων*) from the allies to the amount of more than five hundred talents.<sup>1</sup>

With respect to their apportionment in detail we have no information, except that in the time of Philip Eretria and Oreos in Eubœa, as it seems together, paid, under the name of contributions (*συντάξεις*), ten talents. These contributions are represented by Æschines to have been lost through the fault of Demosthenes. This orator,<sup>2</sup> namely, relates, that according to the account of the Chalcidian, Callias, an account which appeared to him incredible, an Eubœan confederate council (*συνέδριον*) existed, holding its meetings at Chalcis, and that it raised a contribution (*σύνταξις*) of forty talents, and that there was also another confederate council of all the Achæans, and of the Megarians, which raised contributions to the amount of sixty talents; that the same Callias had spoken of many other preparations for war made by other states, and reported that they all wished to form themselves into a common confederate council at Athens, and under the guidance of Athens to enter into active operations against Macedonia. By means of these idle speculations Æschines alleges, Athens, at the suggestion of Demosthenes, had been induced to remit to the Eretrians and to the citizens of Oreus their contributions, in order that both those cities might pay contributions to the Eubœan confederate council in Chalcis; but Chalcis itself was no longer to unite with the Athenian confederate council, nor to pay contributions to it. By this means Callias wished to render Eubœa independent, and for this reason he had urged the formation of the confederate council at Chalcis. Æschines also represents that Demosthenes, bribed to support this project, had received three talents, one from Chalcis, through Callias, and one from each of the other two cities. Since these contributions were so considerable in amount, it is very possible that at that time a revenue of several hundred talents may have again been received from this source.

<sup>1</sup> Decree of the people, ut sup.

<sup>2</sup> Ag. Ctesiphon, p. 482-497. I remark at the conclusion of this subject, that the passage of Hyperides in the Delian speech in Harpocr. on the word *σύνταξις*: *Σύνταξιν ἐν τῷ παρόντι οὐδενὶ διδόντες, ἡμεῖς δὲ ποτε ἡξιώσαμεν λαβεῖν* is perhaps not to be understood of all the allies, but probably refers to the Delians. They were independent at the time when that speech was delivered, but in an earlier period, at least as the possessors of Rheneia, had paid tribute.

## CHAPTER XVIII.

## OF THE CLERUCHIÆ.

WE have hitherto omitted a subject which is essential to the understanding of the relations of the Athenian alliance, and the consideration of which, on account of its influence upon the wealth of the Athenian people may not be neglected in an account of the public economy of the Athenians. I mean the Attic cleruchiæ. Without designing completeness upon this subject, I will furnish a little information in addition to what has been afforded by my predecessors, hoping that some other writer will prosecute the investigation still further.<sup>1</sup>

It was always considered a right of conquest to divide the lands of the conquered into lots or inheritable portions (*κληροί*), and to distribute them among the conquerors. In this manner the Greeks peopled many cities and countries, previously occupied by barbarians. Thus, for example, Athens furnished with new inhabitants the city of Amphipolis, which she had taken from the Edoni. But this kind of cleruchia never appeared strange or harsh, because only the barbarians, who seemed born for slavery, were by it injured.

But it was seldom practised by Greeks toward Greeks. The Dorians, however, on the return of the Heraclidæ into the Peloponnesus, afforded an example of it upon a more extensive scale than had been practised in any previous instance; since they, for the most part, drove out the previous inhabitants, and took possession of their estates, to which they had no other right than that of conquest. In the same manner the Thessalian knights appropriated to themselves the lands of the previous inhabitants of Thessaly, the Penestæ, and made them their bondmen and hereditary tenants of the lands thus appropriated.

<sup>1</sup> My friend Vömel, Frankf. on the M. 1839, 4, published a treatise "*de Discrimine Vocabulorum κληρουχός, ἀποίκος, ἐποίκος*," at Frankf. on the M. in 1839, in quarto.

In Crete and in Lacedæmon a similar relation arose through conquest between the conquerors and the Clarotæ, Messenians, and Helots, and in Rome between the patrons and clients.

The proprietors of the new allotments of land were in these cases evidently no other than cleruchi, and their possession a cleruchia.<sup>1</sup> To reproach the Athenians with the invention of this practice is unjust, for it is rather a remnant of the ancient austerity toward conquered enemies, more striking in an age when the various peoples and tribes, no longer wandering in masses, had established themselves in permanent settlements, and also on account of its severity toward a people of the same race. In other respects the cleruchiæ differed so little from other colonies, that Polybius, Dionysius, and others call the Roman colonists cleruchi.

Beside implacable hatred against their enemies, excess of population, and excessive poverty of the citizens, were the immediate occasion of the retaining of this ancient practice of conquerors by the Athenians. But when their relations with the allied states had been formed, reasons of state were added to these inducements. The distribution of the lands was employed as a penalty to deter the allies from revolt, and it was perceived that there was no better or cheaper method of maintaining the supremacy, as Machiavelli well represents, than the establishment of colonies, which from a regard to their own interest, would be compelled to make efforts to retain possession of the conquered countries. But passion and avarice caused them to overlook the fact, that a lasting hatred was enkindled against the oppressors, the consequences of which Athens severely felt.

The assertion of Isocrates,<sup>2</sup> that the Athenians established cleruchi in the desolated cities for the purpose of guarding the circumjacent countries is true; but he conceals the fact, that they themselves had desolated those cities, and no one will believe his assurance, that they were actuated by disinterested motives in these transactions. Or does a state manifest disinterestedness when it bestows lands upon its poorer citizens, at another's cost? For it was the poorer citizens especially, who were put in possession of the allotments of land, and the state

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<sup>1</sup> Respecting the name, comp. Harpocr. Phot. Suid. Lex. Seg. p. 267, and others.

<sup>2</sup> Panegy. p. 85, Hall. ed. p. 63, a, Steph. ed.

supplied them with weapons and money to defray the expenses of their voyage or journey.<sup>1</sup> Nevertheless, the lands were distributed among a definite number of citizens by lot,<sup>2</sup> doubtless in such a manner that all who wished to participate in the benefit of the distribution voluntarily announced their desire, and then the lot determined who should receive a share, and who should go portionless to the place to be colonized. If a rich citizen wished to come forward as a competitor, he must have been at liberty to accomplish his desire. The advantage offered by this proceeding will not allow us to suppose that lots were cast for all the citizens, and that those who were designated by lot were compelled to become cleruchi.

Moreover, we find that the first example of Athenian cleruchiæ occurred before the Persian wars, when the lands of the knights (*ἵπποβοῦται*) of Chalcis, in Eubœa, were given to four thousand Athenian citizens, other lands having been reserved for the gods and for the state.<sup>3</sup> These citizens returned immediately before the battle of Marathon to Athens. But in all probability, if my conjecture, subsequently presented, concerning their presence as Chalcidians at the battles of Artemision and Plateæ, is well founded, they must at a later date have resumed possession of their lands. In the history of the Peloponnesian war, however, Chalcis is no longer mentioned as a state consisting of cleruchi, but is classed among the tributary allies, apart from the cleruchian colonies.<sup>4</sup> How this change arose I do not know; this only is evident, that the knights were not entirely extirpated, but those of them who were taken prisoners were released upon the payment of a ransom, and that in the time of Pericles, at the date of his well-known invasion of Eubœa, hippobotæ were again found in Chalcis, and were expelled by him. Nothing is said, however, of the establishment on that occasion of a cleruchian state.<sup>5</sup> Perhaps those hippobotæ, expelled by Pericles, were partly the descendants of the ancient hippobotæ, partly the

<sup>1</sup> Liban. Introduct. to Demosth. on the Chersonesus.

<sup>2</sup> Thuc. III. 50; Plutarch, Pericl. 34.

<sup>3</sup> Herodot. V. 77; VI. 100; Ælian, V. H. VI. 100. In the latter, however, there are false readings: for in Herodotus there is certainly nothing to alter.

<sup>4</sup> Thuc. VII. 57. Comp. VI. 76.

<sup>5</sup> Plutarch, Pericl. 23. The state of Chalcis, according to this passage, was continued, while Histiea became completely a cleruchia.



Attic cleruchi themselves, who may have revolted, and after their expulsion Chalcis may have been treated not as a cleruchian, but as an ordinary subject state.

The next instance was that of the Dolopians and Pelasgians in Scyros, who were made slaves by a force under the command of Cimon, and the island was occupied by cleruchi.<sup>1</sup> The same was the condition of the islands Lemnos and Imbros, under Athenian rule.

The distribution of lands most frequently occurred after the commencement of the administration of Pericles. Pericles himself, and his successors, Alcibiades, Cleon, and other statesmen, endeavored by it to gain the favor of the needy among the lower classes of the people.<sup>2</sup> How solicitous the common Athenian was in regard to it, is shown by the question ascribed to Strep-siades, a character in one of the comedies of Aristophanes, to whom, upon the mention of the science of geometry, the measuring of the lands of cleruchi is immediately suggested.<sup>3</sup> Thus, in Olymp. 83, 4 (B. C. 445), Hestîæa in Eubœa was given to cleruchi;<sup>4</sup> at a later period Potidæa, the inhabitants of which were expelled; and, upon the breaking out of the Peloponnesian war, Ægina, the Dorian inhabitants of which were also expelled.<sup>5</sup> The whole population of Delos was indeed removed from the island, but it was not entirely resigned to the Athenians until a later period, when it had become nearly desolate. But, after the revolt of the Mytilenæans, the Athenians distributed among cleruchi the lands of Lesbos, with the exception of Methymna. In Scione the adult men were put to death, and the women and children enslaved, and the Platæans, as Athenian citizens destitute of land, were put in possession of the city.<sup>6</sup> The Melians, also, were enslaved, and their property given to cleruchi.<sup>7</sup> At the suggestion of Pericles, many other cleruchi were sent out. He sent a thousand men to the Chersonesus, five hundred to Naxos, 250 to Andros, a thousand to Thrace, without reckoning

<sup>1</sup> Thuc. I. 98; Diodor. XI. 60; Nepos, Cimon, 2.

<sup>2</sup> Plutarch as above cited. Comp. Aristoph. Wasps, 714.

<sup>3</sup> Clouds, 203, and the schol. and Comment. on the passage.

<sup>4</sup> Thuc. I. 114. Comp. VII. 57; Diodor. XII. 22. Comp. Plutarch, Pericl. 23.

<sup>5</sup> Thuc. II. 27; Diodor. XII. 44.

<sup>6</sup> Thuc. V. 32; Diodor. XII. 76. Comp. Isocr. Panegy. p. 85, 86.

<sup>7</sup> Thuc. V. near the end.

the number of those who went to Ægina, Thurii, and other places.<sup>1</sup> In Eubœa, which, on account of its proximity to the Athenians, offered the greatest advantages, they evidently appropriated much land.<sup>2</sup> Hence Æschines asserts,<sup>3</sup> that, at the date immediately subsequent to the peace of Nicias, Athens had possession of the Chersonesus, Naxos, and Eubœa. Of the latter island they were in possession, as is testified in the speech of Andocides on the peace, of more than two thirds.<sup>4</sup>

It is certain that by the battle of Ægospotami the cleruchiæ were lost.<sup>5</sup> But the Athenians, as soon as they could, established others. In the 100th Olymp. (B. C. 380), they had become so odious on account of their cleruchiæ, that they at once recalled them.<sup>6</sup> But the law prohibiting an Athenian from possessing land out of Attica did not continue long in force. Demosthenes speaks in the 106th Olympiad (B. C. 356) of cleruchian property.<sup>7</sup> Cleruchi were sent to the Chersonesus in Olymp. 106, 4 (B. C. 353), and after these had left the country, others again were sent about Olymp. 109½ (B. C. 343). These were admitted by some cities, but were excluded by the Cardiani.<sup>8</sup> Samos, in the archonship of Aristodemus, in Olymp. 107, 1 (B. C. 352), was occupied by two thousand cleruchi;<sup>9</sup> not

<sup>1</sup> Plutarch, Pericl. 11.

<sup>2</sup> Comp. Schol. Aristoph. Clouds, 314; Demosth. Lept. 95, and Wolf on the passage. Morus on Isocr. Paneg. 31.

<sup>3</sup> Περὶ παραπρ. p. 377.

<sup>4</sup> P. 93. Actual possession, as the nature of the case shows, not merely subjection, is here to be understood.

<sup>5</sup> Comp. Xenoph. Mem. of Socrat. II. 8, 1. The passage II. 7, 2, does not clearly refer to foreign cleruchian possessions.

<sup>6</sup> Diodor. XV. 23, 29.

<sup>7</sup> Π. συμμορ. p. 182, 16.

<sup>8</sup> Diodor. XVI. 34; Demosth. on the Cherson. p. 91, 15; letter of Philip in Demosth. p. 163, 5; Liban. Introduct. to the speech on the Cherson. Vömel has made the distinction between the two sendings of Cleruchi, Prolegg. in Philipp. I. et Olynth. § 27 and § 18; Prolegg. in Or. de Halonn. § 12.

<sup>9</sup> Strabo, XIV. p. 638; Heraclid. Polit. 10; Diog. L. X. 1; Diodor. XVIII. 8; Æschin. ag. Timarch. p. 78; Zenob. II. 28. I follow for the first date Philochorus, as quoted by Dionysius in Dinarchus, p. 118, 39, Syll. Æschines ag. Timarch. p. 78, as may readily be inferred from the date of that speech, undoubtedly refers to the cleruchi sent out at that time. The other account of the sending out of cleruchi during the archonship of Nicophemus, is given by the schol. Æsch. p. 731, Vol. III. Reiske. Perhaps this account is entirely erroneous. Diodorus XVIII. 18, concurs with neither of the two accounts, since he reckons forty-three years from the expulsion of the Samians until their restoration by Perdicas in Olymp. 114, 2 (B. C. 323). If the reading is cor-

without the opposition of those who were guided by better principles than the majority.<sup>1</sup> Perhaps, also, cleruchi were sent thither as early as Olymp. 104, 4 (B. C. 361), in the archonship of Nicophemus.

But what was the relation of the cleruchian states to Athens? Did the cleruchi continue Athenian citizens, and, if they did, were they at the same time citizens of a separate community, composed of cleruchi? If there was such a cleruchia, is it to be considered as an ally of the Athenians, and in what manner? as an independent or subject ally?

Some of these questions may be answered with certainty, others with great probability. That the cleruchi remained Athenian citizens, there can be no doubt, whether we regard the design of Athens in establishing cleruchiæ, or the reasons which may have determined individuals to engage in them. Athens could have had no other object than that of enriching the poor citizens, and of occupying important stations and countries for its own benefit. But, if the cleruchi had ceased to be Athenian citizens, the advantage for Athens itself would have been lost. The cleruchian states would have then been colonies, standing in no closer relation to Athens than, perhaps, the Ionians in Asia and in the islands, who had, it is true, emigrated from Athens, but had soon dissolved all connection with it. And who would have sacrificed his right of citizenship, which was so highly prized, for the possession of a piece of land, with the risk of being left, if war or treaty should restore it to the former proprietor, not only without property, but even without country? Æschines speaks of one who had gone with the cleruchi to Samos, only as of an absent Athenian.<sup>2</sup> Demosthenes classes the cleruchian with the Attic property.<sup>3</sup> Aristophanes the poet, or his associate Callistratus, or both, had, as Athenian citizens, at the same time, an allotment of landed property in Ægina.<sup>4</sup>

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rect, he must have computed from Olymp. 103, 3 (B. C. 366), which year Vömel gives as the date of the taking of Samos, or its deliverance from subjection to the Persians by Timotheus (Demosth. on the Freedom of the Rhodians, p. 193; Isocr. on the Exchange of Property, p. 69, Orell.). The words of Diodorus, however, correspond but ill with this supposition.

<sup>1</sup> Aristot. Rhet. II. 6.

<sup>2</sup> Æsch. ag. Timarch. p. 78.

<sup>3</sup> Demosth. π. σνμμ. p. 182, 16.

<sup>4</sup> Scholia on Aristoph. Acharn. 652. Comp. Life of Aristoph. p. 14, Küst. One

That Eutherus, who had lost his foreign lands, and who complains that his father had bequeathed him nothing even in Attica,<sup>1</sup> was both a citizen and a cleruchus. Thus, Demosthenes appears to have considered the inhabitants of Lemnos and Imbros as Athenian citizens.<sup>2</sup> And although Ariston, the father of Plato, went as cleruchus to Ægina, and Plato, as is not improbable, was born there (Olymp 87, 3, B. C. 430), although Neocles the father of Epicurus went with the cleruchi to Samos,<sup>3</sup> and his son was educated there, yet Plato and Epicurus, with their fathers, were Athenian citizens. The former belonged to the district Collytus, the latter to the district Gargettus, and they enjoyed the same privileges as resident citizens of Athens. The Lemnians of Myrina, and the Lemnians in general, belonged to the Attic tribes.<sup>4</sup> When Salamis, at a later period, was separated from the Athenian commonwealth, and composed a cleruchian state, the Salaminians were nevertheless Athenian citizens, and belonged to the various districts of Attica.<sup>5</sup> The same was the case with the Delian cleruchi.<sup>6</sup>

The cleruchi, however, in the cities exclusively occupied by them, composed a separate community; as might be concluded indeed from the general spirit alone of the Greeks, according to which the inhabitants of every place formed themselves into a separate community, having the administration of their own government. And since the cleruchiæ are to be considered entirely the same as colonies, excepting only that they were more closely connected with the mother state than the earlier colonies, they must, of necessity, each have formed a separate state.

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scholiast says that no one has related, that Aristophanes possessed landed property in Ægina. But the passage in the life of Aristophanes very strongly intimates, that Aristophanes himself owned landed property in Ægina, and Theagenes in the *Ἀλγινητικῶν* (in the schol. Plat. Bekk. p. 331) asserted, that he had been a cleruchus in Ægina. The scholiast expressly says the same of Callistratus. I see also, in fact, no objection to the supposition, that both may have been cleruchi in Ægina; so that this particular need not be taken into consideration in reference to the question, whether Aristophanes in the passage cited from the *Acharnians* intends to represent himself or Callistratus as the person speaking.

<sup>1</sup> Xenoph. Mem. of Soer. II. 8, 1.

<sup>2</sup> Demosth. ag. Philipp. I. p. 49, 26.

<sup>3</sup> Phavorin. in Diog. L. III. 2; Heraclides in the same, X. 1. Respecting Epicurus, also, Cic. de N. D. I. 26. Cicero translates *κληρουχός* by the word *agripeta*.

<sup>4</sup> C. I. Gr. No. 168, b; Rangabé, Antt. Hell. No. 307, 309.

<sup>5</sup> C. I. Gr. No. 108.

<sup>6</sup> C. I. Gr. No. 2270.



Hence they received their names from particular cities, and were called Histieans, Chalcidians, Æginetans, Lemnians, Salaminians, (I mean the later cleruchi of that island, and do not refer to the period when Salamis was a district of Attica,) etc.<sup>1</sup> They are sometimes, however, called Athenians, as, for example, "Athenians in Myrina," "the Athenian people in Delos,"<sup>2</sup> or, "the Athenians who inhabit Delos."<sup>3</sup> For the public law of Greece allowed a person to be at the same time a citizen of several states:<sup>4</sup> even all the citizens of one state frequently received the right of citizenship in another.

But what was the relation of these states to Athens when the cleruchi, as in Mytilene, did not themselves occupy the lands, but leased them to tenants? Did the cleruchi then also compose a separate colony? For after Mytilene had revolted, and had been reconquered, some more than a thousand of its most eminent citizens were executed, the small cities on the continent, which belonged to the Mytileneans, were separated from Lesbos and classed among the subject allies of the Athenians. Upon the Lesbians themselves, however, no tribute was imposed; but the island was divided into three thousand allotments, of which three hundred were given as tithes to the gods, and the remainder to the cleruchi, who were sent thither. The use of the land was granted to the Lesbians, for which they were to pay a rent of two minas on each allotment.<sup>5</sup> Now, although the cleruchi according to Thucydides were certainly sent thither, yet it is not credible that 2,700 Athenians remained there, since in that case

<sup>1</sup> Thuc. V. 74; VII. 57; Herod. VIII. 1, 46; Pausan. V. 23; C. I. Gr. No. 168 b, and the inscriptions in Rangabé as last cited; also C. I. Gr. No. 108; and the lists of the tributes.

<sup>2</sup> C. I. Gr. Nos. 2155, 2270.

<sup>3</sup> C. I. Gr. No. 2286 sqq. Comp. also in the Add. No. 2283, b. d. In the latter, the phrase is *ὁ δῆμος ὁ Ἀθηναίων καὶ οἱ τὴν νῆσον κατοικοῦντες*. Its date was in the period during which the island was under the Roman dominion.

<sup>4</sup> According to a conjecture, presented in Book II. 13 of the present work, a case even occurs, in which the theoricon was paid to cleruchi, the same as to citizens resident at Athens.

<sup>5</sup> Thuc. III. 50. Antiphon on the Murd. of Herod. p. 744. Thucydides in the passage cited (comp. IV. 52) expressly says what is quoted above concerning the small cities upon the continent. We can, however, show nothing definite concerning them in the lists of tributes. Strabo, XIII. p. 600, includes Troy among those cities. Perhaps Sige was one of them; Sigeum certainly was not: for it paid tribute long before the fall of Mytilene.

they would have hardly leased the whole country to the Lesbians at a rent of two minas for each allotment. Undoubtedly many of them returned home. But a part of them must have remained as a garrison, and probably they, together with the original inhabitants, composed the body politic.

Finally, from the nature of the cleruchian states it may be inferred, that, notwithstanding their citizens were also Athenian citizens, their condition was one of close dependence upon the mother state. In the first place, the religious institutions of the cleruchi, together with their priesthoods, were connected with those of the Athenians; since originally the religion of all colonies depends upon that of the mother country. Moreover, there was nothing to prevent the Athenian state from reserving large portions of land in the cleruchian and other subject countries as public property, either as consecrated to the gods, as in Chalcis and Mytilene, or as belonging to the state itself, as also in Chalcis, and probably with regard to the mines, in Thrace.<sup>1</sup> A cleruchian state, from the nature of the case, could have no military force of its own, but in that particular must have been entirely dependent upon Athens. Hence the Chalcidian cleruchi had no ships of their own at Artemisium and Salamis, but they manned twenty Athenian triremes;<sup>2</sup> and for this the four thousand cleruchi exactly sufficed. They had also at an earlier date received command from Athens to engage in military enterprises.<sup>3</sup> There seems, however, to be no reason for doubting that these cleruchian Athenians composed separate divisions among the Athenian troops. Hence they are separately designated in the lists of those who had fallen in battle.<sup>4</sup> Their military commanders were, doubtless, appointed by Athens. And although they may have been allowed to elect their own archons, yet like the other colonies they were under the control of superintendents sent from Athens.<sup>5</sup>

<sup>1</sup> Comp. Book III. 2 and 3 of the present work.

<sup>2</sup> Herodot. as last cited.

<sup>3</sup> Herodot. VI. 100.

<sup>4</sup> C. I. Gr. No. 168 b; Rangabé, *Antt. Hellen.* Nos. 307, 309. In Thuc. V. 74 the Æginetan cleruchi are associated with the Athenians in giving the number of those who had fallen in a battle. But it does not thence follow, that they did not compose a separate division of the army, and that they were not, in the lists of the fallen made after the battle, separately designated; but rather the contrary.

<sup>5</sup> Among others, the epimiletes of Delos is frequently mentioned in the later periods.

That the cleruchi were amenable to the jurisdiction of the Athenian courts alone must have been considered by them as a right, not as an obligation, because otherwise the cleruchus would have renounced an essential right of an Athenian citizen. And what we have quoted from Antiphon concerning the limited jurisdiction of the Mytileneans after their revolt directly proves, that Athens exercised the supreme jurisdiction in cleruchian states, not merely over the cleruchi, but also over the original inhabitants; although in the first instance the causes of the latter may have been decided by courts of the Athenian cleruchi. Thus these states, although by measures entirely different, must have become as dependent as the subject allies, with this difference only, that the citizens of those states could exercise at Athens itself all the rights of citizenship.

This one point alone may, at the first glance, appear doubtful; namely, whether they were tributary, or not. Thucydides is silent with respect to this very point, although in regard to all the other allied states he always mentions whether they paid tribute, or furnished a military force. The cleruchi, as Athenian citizens, certainly performed military service for Athens. Exemption from this service was by other states in reality purchased by the payment of tribute. It is possible, however, that individual cleruchian states were subjected to the payment of a tribute, since by accepting the property they may have also become liable to the obligations of the original inhabitants, or even new obligations may have been imposed upon them. Mytilene, before its revolt, was not tributary. The cleruchi who settled there were also not tributary; since Thucydides, having expressly said that no tribute was imposed upon the Lesbians, would not, if this burden had been imposed upon those cleruchi, have omitted to mention the fact. They may, however, have been subjected to the payment to Athens, not as tribute, but under another name, of a portion, for example, of a tenth, of their rent. This would have amounted to a sum of nine talents. On the other hand, it is certain from the lists of tributes, that other cleruchian states paid tributes; for example, Lemnos, Im-

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See C. I. Gr. No. 2286. And similar officers certainly existed even in earlier times. Reference may here be made also, as I have noticed above, to the Athenian authorities in Mytilene, mentioned by Antiphon.

bros, Histiaea, Melos. There need be no hesitation, therefore, in referring tributes mentioned by ancient authors even of Ægina, and other states, to periods when they had already become cleruchian states; provided there are any good reasons for ascribing that date to them. That Chalcis, which Thucydides calls a tributary state, appears no longer in the history of the Peloponnesian war as a cleruchian state, I have already remarked. This city, therefore, cannot be taken into consideration in relation to this point.

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## CHAPTER XIX.

### TOTAL AMOUNT OF THE ANNUAL REVENUES.

FROM the representation thus far given of the regular revenues, independently of the personal public services and extraordinary taxes, the *sum of the annual revenues* of the Athenian State might be computed, if each single item could be determined for the different ages of the commonwealth. But since this is not throughout possible, we must be contented with collecting the few accounts of them furnished us by ancient writers, and passing judgment upon them.

We will not delay to consider the assertion of Petit, Salmasius, Meursius, and others, that the annual revenue of the Athenian State amounted to six thousand talents, but turn immediately to Xenophon's account.<sup>1</sup> According to it, upon the breaking out of the Peloponnesian war, not less than a thousand talents, or one and a half million thaler (\$1,026,000), were received from internal and external resources; that is, in reference to the latter, from the allies. Xenophon manifestly considers this as an extremely large sum; and if we reckon the tributes, as they may have been assumed by Xenophon for that period, at six hundred talents, there remain for the revenues from internal sources, four hundred talents. This sum is in tolerably fair proportion to

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<sup>1</sup> Exped. of Cyr. VII. 1, 27.



the resources of the country, as well as to the necessary regular expenditures. Aristophanes, the poet, however, in his estimation, in the comedy of the *Wasps*,<sup>1</sup> (Olymp. 89, 2, B. C. 423), of the total amount of the public revenues, exclusively of the personal public services, the means for defraying the expenses of which were not paid into the public treasury, at nearly two thousand talents, strangely contradicts the account of the historian. Aristophanes certainly reckons many items which Xenophon may have overlooked, such as fees received in the administration of justice and fines, together with the proceeds of confiscated property. But this is not sufficient to produce so great a difference in the statements; and it cannot reasonably be assumed that Aristophanes has too grossly exaggerated. There is no alternative, then, but to suppose that the increase of the tributes which is mentioned in the orators, as if it had been a consequence of the peace of Nicias, had been partially effected at an earlier date, and perhaps gradually. If the increased tribute alone amounted, as has been shown, to more than twelve hundred talents, and if we combine therewith what Xenophon, as has been said, perhaps omitted, the amount would be about eighteen hundred talents.

How great must have been the diminution of these ample revenues, when the power of Athens became impaired, need not be suggested. After the battle of *Ægospotami*, no more tribute was paid; the commercial traffic was inconsiderable; even the houses at Athens stood unoccupied. The state was unable to pay the smallest debts, and for a debt of a few talents was obliged to submit to reprisals from *Bœotia*. We have not, however, any definite statements respecting the revenue, except in the fourth *Philippic*, until the time of *Lycurgus*. Although this speech was not composed by *Demosthenes*, yet it ought not to be neglected, because definite statements even in a spurious speech, have some foundation. "It was once," it is said in that speech,<sup>2</sup> "and at a date not long since, the case with us, that the state possessed a revenue of not more than 130 talents;" and subsequently it is added, that prosperity had afterwards increased the public revenues, and that four hundred instead of one hundred talents were the amount received.

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<sup>1</sup> Vs. 657 sqq.<sup>2</sup> P. 141, 9.

It is hardly conceivable that the revenue should ever have declined to 130 talents, especially since Lycurgus, in the age of Demosthenes, is said to have increased it again to twelve hundred talents. But perhaps the author of this speech had some passage before him relating to the tributes, which he misunderstood. The revenue derived from this source might once have amounted to only 130 talents, and afterwards to four hundred talents. And the latter may have been the case in the period when the finances were managed by Lycurgus, since it would otherwise be inconceivable how he could have so much increased the revenue without receiving considerable amounts in tributes. We must, however, acquiesce in abstaining from forming any definite opinion with respect to this particular. It is certain, also, that the statements of Demosthenes and Æschines concerning the tributes of the later periods, do not correspond with my supposition, unless they relate to different years. For what Demosthenes and Æschines say may have reference to the period of the social war, and the account of the 130 talents to the period immediately subsequent, and that of the four hundred talents to the period commencing with Olymp. 109, 4 (B. C. 341), or Olymp. 110, 1 (B. C. 340), the date at which the author of the fourth Philippic has represented that that speech was composed.

The revenues seem to have suffered the greatest decline in Olymp. 105 and 106 (B. C. 360–353).<sup>1</sup> This was occasioned partly by the revolt of the allies, partly by the obstructions which impeded the course of trade. To this, the complaint of the decline of several branches of the public revenue occasioned by the war, which is made in the treatise of Xenophon on the Public Revenues,<sup>2</sup> has reference. According to Isocrates,<sup>3</sup> the Athenians at that time were in want of the daily necessities of life, extorted money for the purpose of paying the mercenary troops, and ruined their allies. He expresses the opinion that, only through peace would prosperity return, war-taxes and the obligation of the trierarchy cease, agriculture, trade, and commerce and shipping flourish, the revenues be doubled, and the number of merchants, foreigners, and aliens under the protection

<sup>1</sup> Comp. Demosth. ag. Lept. § 21, 95, delivered Olymp. 106, 2 (B. C. 355).

<sup>2</sup> 5, 12. Comp., respecting the period intended, Book IV. 21 of the present work.

<sup>3</sup> Σύμμαχ. 16, composed Olymp. 106, 1 (B. C. 356.)

of the state, of whom there were scarcely any left in the city, be increased. When Demosthenes,<sup>1</sup> soon after this period in Olymp. 106, 3 (B. C. 354), asserted that the wealth of Athens was nearly equal to that of all the other states, he by no means had reference to the public revenue, but to the aggregate property of the Athenian people.

The orator Lycurgus appears to be almost the only individual whom antiquity presents to us in the character of a genuine financier. He was a man of the strictest moral principle, so inured to hardy living that, after the ancient Socratic fashion, he went barefoot. He was at the same time discerning, active, frugal without niggardliness, in every respect of a noble disposition; so far just, that he at least took no property from others, but rather gave of his own. For example, a sycophant once received a talent from Lycurgus, as an inducement to divert him from bringing an accusation against the wife of the latter for the transgression of a law passed at his own suggestion. It is true, however, that by this act he deprived the state of a fine.<sup>2</sup> Notwithstanding his noble character and public services, his sons, in consequence of an accusation brought against him after his death, were thrown into prison.<sup>3</sup> He devoted himself especially to the administration of the finances, but he engaged also in other public business, and, finally, at the same time in the foreign affairs of the state.<sup>4</sup> He managed the public revenues for three periods, called periods of five years (*πενταετηρίδας*),<sup>5</sup> but which amounted in reality, according to an ancient usage of the term, to only twelve years.<sup>6</sup> He performed this duty during the first four years in his own name, during the remaining years in the name of other persons, but in such a manner that it was

<sup>1</sup> Π. συμμ. p. 185, 2.

<sup>2</sup> Taylor on Lycurg. p. 114, Vol. IV. Reisk. See the apology of Lycurgus in the assembly of the people, in Plutarch, Compar. of Nicias and Crassus, 1.

<sup>3</sup> See Book III. 13.

<sup>4</sup> Comp. the spurious letter ascribed to Demosthenes, Epist. 3.

<sup>5</sup> Decree of the people in the Lives of the Ten Orators, p. 278; Life of Lycurgus, in the same, p. 250; Photius, Cod. 268. The latter author has derived his information principally from the spurious Plutarch, and therefore will not always be separately quoted by me.

<sup>6</sup> Diodor. XVI. 88. Wesseling (on Diodor. and on Petit. Leg. Att. III. 2, 33) assumes fifteen years. He is certainly wrong. Comp. Book II. 6, of the present work.

known that he was properly the superintendent of the public revenues.<sup>1</sup> At the date when the well-known inscription relating to the building of the walls of the city was composed, his son Habron was superintendent of the administration of the revenues.<sup>2</sup> One might be inclined to suppose, as many do, that Habron was one of those whom Lycurgus had put forward, in order that he might in their name continue to exercise the administration of the finances. But it is not certain that the inscription relating to the building of the walls of the city was not rather executed after the death of Lycurgus.<sup>3</sup> It is true that we do not know when the administration of Lycurgus began, and when it ceased, and Diodorus, when, upon the occasion of mentioning the battle of Chæronea, he speaks of it as past, cannot be considered a competent witness with respect to those particulars, since his object was to make use of this occasion to inform his readers that Lycurgus had distinguished himself in the execution of the duties of his financial office. We believe, however, not without reason, that he did not enter upon the office before Olymp. 109, 3 (B. C. 342).<sup>4</sup>

He passed with honor through the frequent periodical examinations of his accounts.<sup>5</sup> The loss of the accounts which before his death he exposed to public view, and of which some fragments

<sup>1</sup> Comp. Book II. 6, of the present work. Here I will make the following additional remarks. In the Lives of the Ten Orators, p. 251, are the following words: τὸ μὲν πρῶτον αἰρεθεὶς αὐτὸς, ἔπειτα τῶν φίλων ἐπιγραφόμενός τινα αὐτὸς ἐποίησας τὴν διοίκησιν. Although the repetition of αὐτὸς is unpleasant to the ear, yet there need be no alteration. The meaning of the passage is: he administered the finances at first himself, having been elected for that purpose, afterward, having induced one of his friends to allow him to use his name, in the name of that friend he *himself* performed the same duty, Ἐπιγράφεσθαι in the sense of to put one forward dissemblingly, or to bring one before the public for some object, is not contrary to usage. Of course Lycurgus induced one of his friends to become a candidate for the office of superintendent of the public revenues, and with his party supported him in the election, and thus he attained his object, namely, of administering the finances in the name of another.

<sup>2</sup> Ἀνδρῶν Ἀνκοῦργον Βουτάδης. These are the words on the marble, not Ἀνκοῦργος Βουτάδης, as Ussing Inser. Inedd. p. 66, inadvertently copies them. See the same correction in Zeitschr. f. Alt. Wiss. 1848, No. 62.

<sup>3</sup> See the doubts with regard to this point expressed in Book II. 8, of the present work.

<sup>4</sup> Comp. what is said on this point in Beilage VIII. Of the predecessors of Lycurgus, for example, of Aphobetus, I designedly avoid saying any thing.

<sup>5</sup> Decree of the people, as above cited, p. 279.



of accounts communicated in the supplements to the original of the present work,<sup>1</sup> are probably the remains of his speech concerning the administration of the finances (*περὶ διοικήσεως*), and also of his speech delivered in his defence against the accusations of his adversaries (*ἀπολογισμὸς ὧν πεπολίτευται*),<sup>2</sup> is irreparable for the history of the Athenian finances. In the latter speech, as it appears to me, he maintained the correctness of the accounts which he had presented against the attacks of his enemy, Menesæchmus,<sup>3</sup> and entered into even such minute details as the hide-money. Lycurgus procured, when he was charged with the military preparations (*χειροτονηθεὶς ἐπὶ τῆς τοῦ πολέμου παρασκευῆς*),<sup>4</sup> many weapons, and among the rest, fifty thousand missiles, which were brought into the citadel; he prepared four hundred ships, partly new vessels, and in part old vessels repaired, caused to be made golden and silver articles employed in the solemn processions, golden images of the goddess of Victory, and golden ornaments for a hundred female bearers of the baskets in the festival processions (*canephoræ*).<sup>5</sup> He also built the gymnasium in the Lyceum, and planted its grounds with trees, erected the wrestling school in that place, and completed many public buildings which had been commenced, the houses for covering the ships, the arsenal, the theatre of Bacchus. The latter edifice he finished, as superintendent (*ἐπιστάτης*) of its erection.<sup>6</sup> He completed also the Panathenaic race-course, and adorned the city with many other structures.<sup>7</sup> It is rather a matter of indifference which of these

<sup>1</sup> VIII. and VIII. b.

<sup>2</sup> Respecting the different speeches of Lycurgus in defence of his administration, see particularly Meier de vita Lycurgi, p. CXXXV. sqq., also CXXXIII. seq. The *ἀπολογισμὸς ὧν πεπολίτευται*, in which the *δερματικὸν* is particularly mentioned, cannot, it is true, with certainty be said to be the speech which he delivered, a short time before his death, against Menesæchmus, but neither do I believe that the reasons justly alleged against this opinion (see Kiessling, *Fragm. Lyc.* p. 73), prove the contrary.

<sup>3</sup> Lives of the Ten Orators, p. 255.

<sup>4</sup> Decree of the people in honor of Lycurgus, p. 278; Lives of the Ten Orators, p. 251. Comp. Pausan. I. 29, 16; Phot. on Lycurgus.

<sup>5</sup> Comp. Beilage VIII. b, second face of the marble fragment.

<sup>6</sup> Lives of the Ten Orators, p. 251: *καὶ τὸ ἐν Διονύσειον θέατρον ἐπιστατῶν ἐτελεύτησε*. The proper reading is *ἐτέλεσε*; for Pausanias, as above cited, says, *ἐπετέλεσε*, when treating of the same matter. After *ἐν* I would prefer to substitute *λίμναις*, although *ἐν Διονύσειον* may be endured.

<sup>7</sup> Decree of the people in the Lives of the Ten Orators, Lives of the Ten Orators, p. 251; Phot. ut sup.; Pausan. I. 29.

services he performed in the character of superintendent of the public revenues, and which he executed in other capacities; he performed the most of them, however, undoubtedly during his twelve years' administration. Even during the four years during which he executed the duties of the above-mentioned office in his own name, many of those services may have been performed. For the superintendent of the administration labored in common with the superintendent of the public buildings and structures.<sup>1</sup> Moreover, the law which prohibited the holding of two offices (*ἀρχάς*) by one individual in the same year, by no means prevented the intrusting of commission-business (*ἐπιμέλεια*) to an officer who held an annual office, or even to one whose term was four years.<sup>2</sup>

Finally, Lycurgus conducted the administration of public affairs eight years in the names of other persons, and during that period, therefore, could, without transgressing the law, hold even annual offices.<sup>3</sup> He raised the revenue, not the tributes, as Meursius and his followers suppose,<sup>4</sup> to twelve hundred talents again.<sup>5</sup> The author of the *Lives of the Ten Orators* adds, that previously they amounted to sixty talents. For this number some would substitute six hundred, but Meursius 460, talents, the latter author again having in mind the tributes, and indeed the apportionment of Aristides. To me it appears most probable, that either the ignorant compiler himself, or some smatterer, who would supply what appeared to him a deficiency in the author, had in mind those sixty talents of contributions, furnished by the allies, which are mentioned by Æschines.

Furthermore, I am convinced that Lycurgus collected no treasure. Pausanias, it is true, was of the contrary opinion.

<sup>1</sup> See Book II. 6, of the present work.

<sup>2</sup> Meier de vita Lycurgi, p. XIX.

<sup>3</sup> Hyperides, in Longinus (Rhet. by Waltz, Vol. IX.), says of Lycurgus: οὗτος ἐβίω μὲν σωφρονῶς, ταχέως δὲ ἐπὶ τῇ διοικήσει τῶν χρημάτων εἴρε πάρος, ἑκοδόμησε δὲ τὸ θέατρον, το φάειον, νεώρια, τρήρις ἐποίησατο, λημένας. It cannot with certainty be inferred from this passage, on account of the ambiguity in the connection of the members of the sentence, that Hyperides meant to represent all these services of Lycurgus as appertaining to the duties of his office of superintendent of the public revenues. But the words make the impression, that that was really his intention.

<sup>4</sup> Meurs. Fort. Att. p. 55; Barthel. Anach. Vol. IV. p. 331; Manso, Sparta, Vol. II. p. 498.

<sup>5</sup> *Lives of the Ten Orators*, p. 254.

But the decree of the people in favor of Lycurgus only states that he had, when elected by the people for that purpose, brought many valuable articles (*πολλὰ χρήματα*) into the citadel. By these are meant only those articles, which in the subsequent context of the decree are mentioned, namely, golden ornaments for the goddess, and for the basket-bearers, golden images of the goddess of Victory, golden and silver vessels and utensils to be carried in the solemn processions. Instead of laying up treasure for future use, the most of the surplus was distributed among the citizens, and only that portion of it was retained in the citadel which was employed in the manufacture of vessels and utensils, or of works of art and votive offerings. But in what manner, and by what measures, Lycurgus increased the revenue, is not known. On the other hand, however, the value of twelve hundred talents at that date, when a large amount of money was in circulation, cannot be rated so high as it was during the administration of Pericles. On account of the special confidence reposed in Lycurgus, he was intrusted by individuals with the custody of sums of money. These, in time of need, he advanced to the state without requiring interest. According to the decree of the people, already cited, these advances amounted to 650 talents, according to the *Lives of the Ten Orators*, to only 250 talents.<sup>1</sup> The former is the more probable.

The total amount of all the moneys, for the receipt and disbursement of which he accounted, is variously stated. The decree of Stratocles, composed in the archonship of Anaxicrates in Olymp. 118, 2 (B. C. 307), represents it to have been<sup>2</sup> 18,900 talents; but in the *Lives of the Ten Orators* only 18,650 talents are quoted from the very same decree. The passage in the *Lives of the Ten Orators* is manifestly interpolated by a second hand, and is, on that account, less reliable than the text of the decree of the people, the original document from which the statement is copied. The number 650 may have been inadvertently copied instead of nine hundred from the statement of the amount of money advanced belonging to individuals, which immediately follows in the decree, and which was just that sum.

<sup>1</sup> P. 251. The variation probably arose from the circumstance, that in the decree of the people, *τὰ πάντα* were stated, but the author of the *Lives of the Ten Orators*, or the authority from which he derived the statement, mistook the characters for *HHΠ*.

<sup>2</sup> P. 278.

It is safer, therefore, to abide by the statement of the decree. Again, the whole amount is stated to have been only fourteen thousand talents.<sup>1</sup> This number, however, appears to be merely the result of an approximate computation, by multiplying twelve hundred talents, the amount of the annual revenue by twelve. The product is 14,400 talents, but from a disregard of complete accuracy, the number four hundred was omitted. On the contrary, the decree of Stratocles must have been founded on official documents, certainly upon the account rendered and exposed to public view by Lycurgus himself. For it cannot be supposed, that in a public document the number should have been determined by a mere approximate computation, made, for instance, by multiplying twelve hundred talents by fifteen, as though Lycurgus had conducted the administration of public affairs for fifteen years. The statement of the decree, it is true, only disagrees with the fact, that the annual revenue during the administration of Lycurgus amounted to twelve hundred talents, if, as was certainly the case, he administered the revenues only twelve years. But since he included in his account the sums intrusted to him by individuals which he had advanced to the state, and which were afterward repaid, the amount of the disbursements may have been considerably increased, if in them were comprised the sums advanced, which had been used, and also the sums by which these were replaced. Nevertheless, neither this supposition, nor any other view of the subject which has occurred to me, is sufficient to remove the difficulty, and the manner in which the two statements are to be reconciled must be left undecided.

There is still a passage, occurring in Pausanias, which deserves attention. This author,<sup>2</sup> in his Herodotean enigmatical style, relates that Lycurgus brought into the treasury 6,500 talents more than Pericles. By this he refers to the whole amount received and disbursed by Lycurgus. According to Isocrates, Pericles collected eight thousand talents. Perhaps Pausanias reckoned from some more accurate account 7,900 talents, as the amount collected by Pericles. He would then ascribe to Lycurgus the accumulation of 14,400 talents. In that case this

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<sup>1</sup> *Lives of the Ten Orators*, p. 251; Phot. as above cited.

<sup>2</sup> I. 29.



number would have been determined, as has been remarked above, by a mere approximate computation. The statement of Pausanias cannot well be understood in any other manner.

The successor of Lycurgus in the administration was his opponent Menesæchmus, and Dionysius also is mentioned as superintendent of the administration (ὁ ἐπὶ ταῖς διοικήσεως) in the same age. Against him Dinarchus wrote.<sup>1</sup> Demetrius Phalereus also is praised for having increased the revenues of the state<sup>2</sup> after Olymp. 115, 3 (B. C. 318) during a period when the power and resources of Athens had become comparatively insignificant. We know not how much credit is due to the statement of Duris of Samos,<sup>3</sup> that the annual revenue of Athens during the administration of Demetrius still amounted to twelve hundred talents. At a later period economy was requisite in order to relieve the pecuniary embarrassments of the commonwealth. According to a decree of the people,<sup>4</sup> Demochares, the son of Laches, was the first who retrenched the expenditures of the administration, and economized the resources of the state. The same person obtained presents for the people from foreign sources; thirty talents from Lysimachus, and again one hundred; fifty from Ptolemy, from Antipater twenty. Thus this once great people was compelled to go a begging from kings.

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## CHAPTER XX.

### HISTORY OF THE PUBLIC TREASURE.

FROM the surplus of the public revenues, particularly of the tributes, was formed, in the more ancient periods of the state, the public treasure. This was, at first exclusively, afterwards chiefly, appropriated to the purposes of war.

It was preserved in the cell attached to the back part (ὀπισθό-

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<sup>1</sup> Dionys. of Halic. in the Life of Dinarchus.

<sup>2</sup> Diog. L. V. 75.

<sup>3</sup> In Athen. XII. p. 542, C.

<sup>4</sup> Appendix to the Lives of the Ten Orators, p. 276.

δομος) of a temple of Minerva in the citadel.<sup>1</sup> But of what temple? The Greek commentator on the *Plutus* of Aristophanes asserts, that it was the temple of the so-called Minerva Polias. Now there was a temple called the ancient temple of Minerva Polias, but which by Philochorus, who was preëminently versed in these subjects, and extremely accurate, was also named, and indeed in reference to Olymp. 118 (B. C. 308), simply the temple of Polias.<sup>2</sup> I mean the threefold temple of Minerva, Erechtheus, and Pandrosus, which at present, on the authority of Herodotus and Pausanias, is usually called the Erechtheum. If the commentator understood, by the appellation which he uses, this temple, his assertion is incorrect. This temple, according to the positive testimony of Herodotus and Pausanias, was burnt by the Persians under Xerxes. From Olymp. 92, 4 to Olymp. 93, 2 (B. C. 409–407) it was in the process of building,<sup>3</sup> and in the next year it was again consumed by fire.<sup>4</sup> Beside this, it had, as its beautiful remains show, no cell attached to its back part. In no period, therefore, could the treasure have been kept in a cell attached to the back part of the temple proper of Polias. For there was no treasure in existence prior to the Persian wars, and it was not formed until after the transfer of the common treasury of the allied states from Delos; unless we should call the sacred valuables under the charge of the treasurers of the goddess, which, before the capture of Athens by Xerxes, were there preserved, the public treasure. The cell attached to the back part of the great temple, therefore, which is commonly called the Parthenon, must necessarily be understood. After the building of this temple, the treasure was kept chiefly in the cell attached to its back part.<sup>5</sup> In the time of Demosthenes this cell was consumed by

<sup>1</sup> Harpocr. Suid. Hesych. Etym. Phot. (twice) on the word *οπισθοδομος*; Aristoph. *Plut.* 1194; speech π. *συνταξ.* p. 170; Demosth. ag. *Timocr.* p. 743, 1, and Ulpian on the same, p. 822; Schol. Demosth. Vol. II. 54, Reisk.; Lucian, *Tim.* 53; also *Lex.* p. 286. In the last passage there is mention made of the sacred money.

<sup>2</sup> See Otrfr. Müller de Min. Pol. p. 22.

<sup>3</sup> C. I. Gr. No. 160; Rangabé, *Antt. Hell.* No. 56 sqq.

<sup>4</sup> Xenoph. *Hellen.* I. 6, 1; comp. C. I. Gr. No. 160.

<sup>5</sup> That there was no other opisthodomus in the citadel, see C. I. Gr. Vol. I. p. 177 seq. Hence the opisthodomus never receives a more particular designation. I do not consider it necessary to add any thing more at present on this point. A pretended *θησαυρος* at Athens is mentioned by Harpocr. Suid. Phot. on the word *Πολύεργωτος*. But several persons have already perceived that the reading is false. It should be written *Θησαυρ.* or *Θησαυρ. ἱερῶν*.

fire.<sup>1</sup> What place was provided, until the cell was restored, for the treasure which at that time used to be kept there cannot be made a subject of investigation.

In the public documents this cell is seldom mentioned. A decree of the people, however, of the date Olymp. 90 (B. C. 420)<sup>2</sup> directed that the newly-appointed treasurers of the deities should have the charge of the treasures in the opisthodomus in the citadel. Another decree composed shortly after the one just mentioned<sup>3</sup> directs more definitely, that the moneys belonging to Minerva should be managed or kept on the right side, those of the other deities on the left side of the same building. In the treasury account of the date Olymp. 88, 3 (B. C. 426)<sup>4</sup> there is an item of thirty talents paid out of the opisthodomus, and in the document of the treasurers of Minerva and of the other deities of the date Olymp. 95, 3 (B. C. 398)<sup>5</sup> many inconsiderable votive offerings are registered as being in the opisthodomus. But in the earlier documents relating to the delivery of articles in the treasury by the treasurers whose term of office had expired to their successors, so far as we have any knowledge of them, nothing of the kind is mentioned, as being in the opisthodomus. The votive offerings are mentioned in those documents only under the heads of the articles in the Pronæon, in the Hecatompedos, and in the Parthenon. I have ascertained by a computation which I have made, that the opisthodomus was amply large enough to contain a treasure of even ten thousand talents of coined silver, and to afford sufficient room besides for the execution of the business appertaining to the same.

But the opisthodomus was not the only building which was used for keeping the public moneys. The Parthenon<sup>6</sup> itself also,

<sup>1</sup> Demosth. ag. Timocr. ut sup.; and Ulpian on the same.

<sup>2</sup> Beilage III. § 6.

<sup>3</sup> Beilage IV.

<sup>4</sup> Schriften der Akad. of the year 1846.

<sup>5</sup> Beilage XII. § 46. It cannot be conceived that another opisthodomus is here meant.

<sup>6</sup> Beilage V. (A) line 13; and probably Beilage VI. (B) line 26. In C. I. Gr. Vol. I. p. 178, I have left it optional to suppose that in these passages uncoined metal is meant; but from the nature of the passages I decide at present that coined money is meant.

that is, the adytum,<sup>1</sup> situated between the hecatompedus, in the narrowest sense, and the opisthodomus, was used for that purpose.

The whole treasure was divided into several portions; as, for example, the treasure of Minerva Polias,<sup>2</sup> the treasure of Minerva Nice.<sup>3</sup> Where her treasure was mentioned, Minerva was also sometimes simply called Athenæa.<sup>4</sup> What were the distinguishing characteristics of these several divisions of the public treasure, it is hardly possible to ascertain, especially since directions were given respecting the management and disposal of them, just as they were given with respect to all other public moneys, by decrees of the people.<sup>5</sup> Perhaps there flowed into the treasury of Minerva Polias the particular revenues of the ancient temple of that deity from the sacred landed property belonging to it, the tenths of the goddess from the same, the fines that fell to her, the quota of the tributes

<sup>1</sup> It has lately been declared that the Parthenon is that large apartment which has been commonly supposed to be the opisthodomus. And there certainly may some reasons be given for that opinion. But, if that opinion be correct, we must assume also that in *contemporary official documents*, in which we must suppose that there would be an established usage with respect to the use of terms, two different names were employed, namely, Parthenon and Opisthodomus, for the same apartment; that that very apartment was called Parthenon in which the statue of the goddess did not stand; that the Parthenon, which, nevertheless, must have continued to be the adytum, was confined to a building at the back side of the temple, an appendage, therefore; although the adytum was the main part of a temple; finally, that, the opisthodomus being the proper business-office, the daily business relating to the treasure was, according to this view of the subject, done in the very adytum of the temple, which would be inconsistent with the idea of an adytum. It is said, to be sure, that behind the opisthodomus, which is supposed to be the Parthenon, there was a smaller apartment, which, in a narrower sense, was called the opisthodomus. But that this opisthodomus, in the narrower sense of the term, was the business office, or even the treasure-house, is not asserted by the originator himself of the latest hypothesis upon the subject. These circumstances prevent me from acceding to the above-mentioned opinion.

<sup>2</sup> Beilage I. Pryt. 1, 2; C. I. Gr., No. 156. Perhaps the error of the Schol. Aristoph., in supposing that an opisthodomus of the temple of Minerva Polias was the place in which the treasure was kept, arose from the fact of the existence of this division of the public treasure.

<sup>3</sup> Document of the date Olymp. 88, 3 (B. C. 426) sqq. (ut. sup.) p. 51; Beilage I. Pryt. 1; Beilage V. (A) line 15; C. I. Gr. No. 156. In the last Πολιάδος καὶ Νίκης are found in connection.

<sup>4</sup> C. I. Gr. No. 148, § 8 and 10. The mutilated passages in Beilage VI. (B) line 21, and in the document of the date Olymp. 88, 3 (B. C. 426) sqq., afford no proof in favor of this supposition.

<sup>5</sup> Comp. for example, Beilage I. Uberschrift, and Pryt. 1, 2.



assigned to her,<sup>1</sup> and so forth; into the treasury of Minerva Nicê the tenth of booty taken from the enemy. Other moneys also may have been assigned to the latter.

That these moneys were sacred, or consecrated, is self-evident. But we are, beside this, compelled to acknowledge that almost the whole of the *public treasure* of Minerva was consecrated. The decree of the people of the date Olymp. 90 (B. c. 420) in the third supplement in the second volume of the original of this work directs that the sums due to the *other deities* should then be paid, after the three thousand talents of Attic silver money, as was decreed, should be brought into the citadel for *Minerva*. It cannot be supposed that the Athenians were so foolish as to decree, from absolute piety, that three thousand talents of coined silver should be consecrated to Minerva. But the truth is, that after the treasury of the state had become, through previous wars, so exhausted, with the exception of a specially reserved fund of one thousand talents, that money was borrowed from the treasuries of the temples of the other deities, collections were made again for the former after the peace of Nicias (Olymp. 89, 3 (B. c. 422), and it was decreed, that the sums borrowed from the treasuries of the other deities, beside Minerva, should be paid so soon as a treasure of three thousand talents should be again collected. If about Olymp. 90 (B. c. 420) three thousand talents had been consecrated in the citadel, as entirely the property of Minerva, distinct from the treasure of the state, we should have to assume, that in the most flourishing period of Athens, immediately preceding the Peloponnesian war, the property of Minerva in the citadel, in ready money, could not have been less than that amount, but must have consisted of many thousand talents of such sacred moneys. But beside the folly of consecrating such large sums of money, Pericles,<sup>2</sup> in recounting the resources of the state, gives no account of so considerable sums in the citadel, distinct from the treasure of the state, but mentions only six thousand talents of silver money, which of course was the public treasure, five hundred talents in the same place, in votive offerings, in vessels and utensils, the gold on the great statue of Minerva,

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<sup>1</sup> Allg. Bemerkungen zu den Tributlisten Abschn. V.

<sup>2</sup> Thuc. II. 13.

and the valuable articles which were in the other temples, beside those in the citadel. In brief, those three thousand talents, brought into the citadel between Olymp. 89, 3 (B. C. 422), and Olymp. 90 (B. C. 420), were properly the treasure of the state itself, or the greater part of it, although they were consecrated to Minerva; and they were intended to compensate for the consecrated money, which had previously been used. And those six thousand talents also of the treasure of the state, which were still in the treasury before the breaking out of the Peloponnesian war, were, as well as those three thousand talents, for the most part, consecrated to Minerva. In other words, the treasure of Minerva was the proper treasure of the state itself, or the greater part of it. The consecration was merely a form. Hence Pericles, to be sure, does not say that these moneys were consecrated; for he had only the essential particulars of his subject in view. The tutelary goddess of Athens also was too propitious toward the city to refuse to allow the money consecrated to her to be used, in case of emergency, for the protection of the state.

Nevertheless, it does not appear to me that all the money brought into the citadel belonged to the consecrated treasure, but that a large amount of it was delivered to the treasurers of the goddess, and that this could be more freely appropriated than the consecrated moneys. To this branch of the public treasure may have belonged the annual revenues, in particular, from which payments were frequently made by the treasurers in the citadel.<sup>1</sup> It is true that when under this head payments are said to have been made from the separate divisions also of the treasure of Minerva Polias and of Minerva Nicê,<sup>2</sup> this seems contradictory; since we have to consider them consecrated. But the contradiction is removed by the supposition, that expenditures for the festivals of Minerva were in part customarily allowed to be defrayed from the current revenues of these treasuries. And in fact one portion of those payments is expressly designated to have been made for the Panathenæa, another for the cavalry in the first prytania. This was the period of the occurrence of the festival in which the cavalry made their grandest parade. The circumstance that it is stated, in the

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<sup>1</sup> As, for example, the instances mentioned in Beilagen I. V. VI.

<sup>2</sup> Beilage I.; Pryt. 1, 2.

second supplement in the second volume of the original of the present work, that for several payments exemption from punishment (*ᾄθεια*) was required to be decreed before they could be made, but for other payments this was not requisite, also leads to the inference that there were essential distinctions made with respect to the moneys of the treasury. As it appears to me, the public treasure was in part a *variable* fund, which could at any time be used, or the moneys belonging to which were only from time to time paid into the treasury, in part a *fixed or consolidated* fund. The latter alone was in form consecrated, because it was not to be touched except in the extremest exigencies. This inviolability of this fund could be still more definitely determined by designating the only exigency in which the employment of it under strictly prescribed formalities would be allowed. This was done, for example, with respect to the treasure, soon to be mentioned, of a thousand talents, which was set apart in Olymp. 87, 2 (B. C. 431). Moreover, even this fund may very possibly have been consecrated.

In order the more effectually to secure the consecrated treasure as a permanent fund, the practice was introduced of repaying the sums taken from it, according to the document of the date Olymp. 88, 3-89, 2 (B. C. 426-423), even with the addition of interest at a low rate. This cannot possibly have reference merely to such moneys as were the property of Minerva, in the strictest sense; but it is to be understood as relating to the consecrated treasure belonging to the state. For the sums which, with the addition of the interest, were paid out during single years are so large, that unless they are considered payments from the treasury of the state, we should be compelled, in order to account for the payments of that kind, continued during a succession of years, to assume the existence of an immense treasure belonging to the temple, and distinct from the treasure of the state.<sup>1</sup> But in the previous context this appeared impossible. That such payments, however, in the form of loans, actually continued to be made many years in succession, we shall soon see, and it is only an accidental omission, that in relation to other years the interest is not computed on these pay-

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<sup>1</sup> See the document of the date Olymp. 88, 3-89, 2 (B. C. 426-424) in the "Schriften der Akad." of the year 1846.

ments. Also the document relating to these payments, which contains the computation of interest, is so similar, in the amounts of the sums stated, and in other respects, to the annual accounts of the disbursements presented by the treasurers, that it is readily perceived that it is an account of the disbursements from the treasure of the state. The only essential difference between them is, that a computation of interest is connected with it, which, with the exception of a single case, is wanting in the other accounts; because in preparing the document of the date Olymp. 88, 3 sqq. (B. C. 426), the *logistæ* coöperated, but the other accounts were prepared by the treasurers alone, without the coöperation of the *logistæ*.

Moreover, this repayment and payment of interest took place only in relation to expenditures of a certain kind. The sums expended upon the temples of the goddess, probably also upon the Propylæa, were considered as expended in behalf of the goddess herself, and could be defrayed out of the consecrated treasury, without the obligation of repayment. The interest mentioned, to a certain degree a mere formality, was, however, according to the document already cited, in proportion to the current rate of interest, very low; namely, one tenth per cent. monthly, or  $1\frac{1}{5}$  per cent. annually. This I explain to be one tenth of the not unusual rate of interest, one per cent. a month.<sup>1</sup> With this rate the conscience of the state satisfied itself and the goddess. A similar computation of interest is found also in the document of the date Olymp. 91, 2 (B. C. 415).<sup>2</sup> In that document, however, the payment mentioned is particularly designated as a loan. This is not usually done, and there may be some peculiarity in this payment which we cannot ascertain: for I will here state in general, that I will not promise to remove all the difficulties which upon this subject may be raised.<sup>3</sup> Also a higher rate of interest was probably not paid by the state to the other deities.

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<sup>1</sup> See the "Abhandlung über zwei Attische Rechnungsurkunden," ut sup. p. 24 seq. of the separate impression. The rate of interest had already been ascertained by Rangabé.

<sup>2</sup> Beilage II. D, a.

<sup>3</sup> One of these I consider the circumstance that in Beilage II. D, b, it is stated, that money was lent, and at the same time the interest is not reckoned. Did this arise from mere negligence in composing the inscription? I designedly say nothing of the *ἀδεια* in respect to this case. That may not have been requisite in relation to that item.



It is to be regretted, that of a computation for eleven years of money due to the other deities, together with interest, only a small fragment<sup>1</sup> has been preserved to us. In it were included moneys due both to Minerva Polias and Minerva Nicê, and also to the other deities. It appears to me probable, that this account was exposed to public view about Olymp. 90, 2-3 (B. C. 419-18), and that the eleven years are to be reckoned from that date backwards, since at that period the moneys due, namely, to the other deities, were paid out of a sum of two hundred talents appropriated for that purpose.<sup>2</sup>

A further security for the moneys belonging to the public treasure, against the improper use of which the most careful precautionary measures had been adopted, was provided by the regulation, that a proposition for their appropriation could not be offered until for the same an assurance of exemption from punishment (*ᾗδεῖα*), that is, an indemnity bill, had been granted. The first example of the kind we find in Olymp. 87, 2 (B. C. 431), in reference to the one thousand talents which had been set apart. And in Olymp. 90, 3 (B. C. 418), it was decreed, that after the deduction of certain moneys, which had been appropriated for certain designated sacred purposes, the other moneys belonging to Minerva, which were already in the citadel, or which should subsequently be brought thither (namely, into the treasury of Minerva), should not be used; except a small amount of them for the same purposes, in case of exigency, and for other purposes, only when indemnity had previously been decreed.<sup>3</sup> That, until the end of the Peloponnesian war, however, the whole amount of the public treasure was used, and that in the complete bankruptcy of the state the capital was not returned to the treasury, nor the interest paid, needs no proof.

Moreover, all the moneys of the public treasure, without any distinction with respect to the separate divisions of it, were, so far as I can perceive, disbursed, and the accounts for the same rendered, by the treasurers of the sacred moneys of Minerva. They, together with the treasurers of the other deities, were constituted a board of officers of the last resort; they

<sup>1</sup> C. I. Gr. No. 156. Comp. in respect to the date, the Add.

<sup>2</sup> Beilage IV.

<sup>3</sup> See Beilage II. A, 14; and IV. (B).

opened, closed, and sealed the doors of the cell attached to the back part of the Parthenon.<sup>1</sup> According to an account of the grammarians, derived, as Eustathius asserts, from the reliable Aristophanes of Byzantium, the epistates of the prytaneis had the custody of the keys of the temple, or of the temples (both statements are made), in which the public moneys were kept.<sup>2</sup> If this has reference to the public treasure in the citadel, the keys, when they were not in use, and especially during the night, must have been kept by the epistates in his office. In a very unreliable authority<sup>3</sup> we find a statement, that the keys of the citadel, and all the moneys belonging to the state, were intrusted to the epistates. Whatever may have been the case in relation to the keys, which is a matter of comparative indifference, it is certain, that the daily changing epistates of the prytaneis, who, besides, was otherwise sufficiently employed, could at no period have been intrusted with the management of the public treasure.

It cannot be shown that a treasure of ready money was collected and kept at Athens before the time of Pericles. Also the distribution among the people of the revenue from the mines until the time of Themistocles shows, that the idea of collecting and laying up a treasure had not occurred to them. Besides, Athens could not have collected any considerable treasure before it had any allies under its dominion. We do not find any mention of the public treasure until after the transfer of the common treasury of the allied states from Delos to Athens. This treasure, especially when considered in relation to the prices of commodities, was both extraordinarily large, and advantageous to the state. Although there was connected with it the disadvantage, that a large amount of ready money was withdrawn from circulation, yet the state and the poor gained the advantage, that the rise of prices was thereby prevented, and that great results could be effected with a small expenditure of money. At the date when the treasure was brought to Athens, it had been in existence, at the most, sixteen years. Consequently, the amount received could have been only 7,360 talents. In time of

<sup>1</sup> Beilage III. § 6.

<sup>2</sup> Eustath. on the *Odyss.* ρ, p. 1827, 52; Pollux, VIII. 96; Suidas on the word *ἐπιστάτης*; Etym. M. on the word *ἐπιστάται*. Entirely erroneous is the gloss in *Lex. Seg.* p. 188, 12: *Ἐπιστάτης· φύλαξ τῶν κοινῶν χρημάτων καὶ ἐπιτηρητὴς τῶν δικαστῶν!*

<sup>3</sup> Argument of the speech of Demosth. ag. Androt. p. 590, 21.

war a large proportion of the receipts must have again been disbursed. The statement of Diodorus,<sup>1</sup> therefore, that nearly eight thousand, and in another place that ten thousand talents or more were brought from Delos to Athens, is certainly erroneous.<sup>2</sup> According to Isocrates,<sup>3</sup> Pericles had brought eight thousand talents into the citadel, exclusively of the sacred treasure (votive offerings and moneys properly belonging to the temples). 7,900 may be the more accurate number, since that is the statement which Pausanias seems to follow.<sup>4</sup> According to this account, the sum which was brought from Delos to Athens cannot have amounted to more than eighteen hundred talents. For it is certain, that during the administration of Pericles the highest amount of the treasure composed of the money transferred from Delos and of the sums subsequently collected was 9,700 talents in coined silver.<sup>5</sup> Instead of this number, Isocrates and Diodorus, in another passage than that above mentioned, inaccurately substitute ten thousand talents.<sup>6</sup> Demosthenes<sup>7</sup> reckons that during the predominance of Athens, for the period of forty-five years before the Peloponnesian war, more than ten thousand

<sup>1</sup> XII. 38.

<sup>2</sup> XII. 54; XIII. 21.

<sup>3</sup> Συμμαχ. 40.

<sup>4</sup> See Chap. 19.

<sup>5</sup> Thuc. II. 13.

<sup>6</sup> Isocr. Συμμαχ. 23; Diodor. XI. 40.

<sup>7</sup> Olynth. III. p. 35, 6, and thence in the spurious speech *περὶ συνταξ.* p. 174, 2. He reckons from Olymp. 75, 4 (B. C. 477), or 76, 1 (B. C. 476) to Olymp. 87, 1 (B. C. 432); since he speaks of the hegemonia maintained by the Athenians with the recognition and good-will of the allies (*τῶν Ἑλλήνων ἐκόντων*). Demosthenes, Philipp. III. p. 116, 21, on the other hand, reckons seventy-three years for the duration of the hegemonia. They are computed from Olymp. 75, 4 (B. C. 477) to Olymp. 93, 4 (B. C. 405), including both these years. Andocides on the Peace, p. 107, reckons eighty-five years for the period of the increasing prosperity of Athens, manifestly from the battle of Marathon, Olymp. 72, 3 (B. C. 490), until Olymp. 93, 4 (B. C. 405). This computation we certainly should not expect from the context of his narration. Isocrates (Panath. 19) states sixty-five years as the period of the duration of the Athenian predominance, counting from Olymp. 75, 4 (B. C. 477), or 76, 1 (B. C. 476), to the revolt of the allies, after the defeat in Sicily, in Olymp. 92, 1 (B. C. 412) (Krüger, Hist. Philol. Studien, p. 35). Clinton, in his Fast. Hell. in the sixth Appendix of the second volume, considers still other numbers, namely, seventy, sixty-eight. Among those who state that the number was seventy, which we should assume to be merely a round number, he classes, as it seems to me correctly, Isocrates, also, in his Paneg. 30 (p. 85 of the Hall, ed.); although the passage does not expressly mention the hegemonia, and is subject, also, to other difficulties.

talents had been brought into the citadel. His estimate is entirely correct, since he includes also the uncoined gold and silver, of which we will subsequently treat. At the commencement of that war, however, many talents of the highest sum above mentioned had been expended in the building of the Propylæa, and in the siege of Potidæa,<sup>1</sup> and, according to Thucydides, only six thousand talents remained. From this sum were set apart as a separate treasure (as *ἐξαίρετα*), in Olymp. 87, 2 (B. C. 431), those thousand talents so often mentioned, together with a hundred ships, and they were to be used only in case that Attica was threatened by a hostile fleet.<sup>2</sup> The large expenditures of the following years, until Olymp. 88, 1 (B. C. 428), especially the disbursements for the military and naval armaments of the last-mentioned year,<sup>3</sup> evidently consumed the greater part of the treasure, except the sum thus appropriated. For this reason, near the commencement of the winter of the same year, a war-tax of two hundred talents was imposed, in order to provide the means for continuing the siege of Mytilene.<sup>4</sup> It was not until after the peace of Nicias, that the Athenians succeeded in collecting a treasure again, after the tributes had been considerably increased, and, especially, after the necessity for such extraordinary preparations for war had ceased.

Andocides in his speech on the peace, and Æschines,<sup>5</sup> who has made use of the same speech, for the purpose of recommending peace, exhaust themselves, in enumerating the advantages which Athens had always derived from it. And they so blend things together, less perhaps from intentional misrepresentation, but much rather from ignorance of the history of the more ancient periods, that it is difficult to separate the truth from their tissue of confused statements. The following is the substance of what they say concerning the public treasure. We give the dates, however, more accurately than they have done. During the duration of the truce or peace made between Athens

<sup>1</sup> The statement that at the commencement of Olymp. 86, 3 (B. C. 434), there were only 1,470 drachmas in the treasury of the Athenian state (Rangabé, *Antt. Hell.* p. 168, and p. 208), is founded upon the confounding of the funds in the possession of the superintendents of a public structure with the treasure of the state. See Beilage XV. 2.

<sup>2</sup> See Book II. 23, of the present work, toward the end of the chapter, and also Beilage V. (A). In line 6 of the latter this particular treasure is mentioned.

<sup>3</sup> Thuc. III. 17.

<sup>4</sup> Thuc. III. 19.

<sup>5</sup> Andocid. p. 91 sqq.; Æschin. π. παρατρ. p. 344 sqq.



and Sparta for thirty, but kept only fourteen years, namely, from the end of the Æginetan war (Olymp. 83, 3, B. C. 446), until the commencement of the Peloponnesian war,<sup>1</sup> a thousand talents had been placed in the public treasury, to be laid up, or set apart according to law (*ἐξαιρετα*). Also a hundred triremes had been built,<sup>2</sup> and all the other events, which they narrate in relation to this period, had taken place. But this money was not set apart during the peace. This was done, as has already been shown, at the commencement of the war.<sup>3</sup> It is the more singular, that such prominence is given to this particular by the orators, since it would be natural to expect that in treating of that period they would rather have stated the amount collected during it by Pericles. They assert, also, that from the commencement of the peace of Nicias until Athens, misled by the Argives, recommenced the war, seven thousand talents of coined money, had been, as was well known, brought into the citadel.<sup>4</sup> This peace was concluded in Olymp. 89, 3 (B. C. 422) for fifty years, but was not regularly kept, and in the seventh year of its continuance was completely violated by the invasion of Sicily, (Olymp. 91, 1, B. C. 416). Nothing further is known with respect to the exact amount of the sum; but the account seems, upon the whole, to be deserving of credit: although the statement can be only an approximate computation, and the last thousand cannot be considered complete. About a thousand talents might easily have been reserved every year; since twelve hundred talents of tribute were annually received. Thucydides<sup>5</sup> remarks, also, that the state during this truce had not only repaired the loss of men able to bear arms, but had also collected a treasure.

The decree of the people communicated in the third supplement (in Vol. II. of the original of this work) which directed that the sacred moneys should be repaid corresponds with this period alone, because during it the three thousand talents decreed to be collected for Minerva had been brought into the citadel.

<sup>1</sup> Diodor. under this year, and Wess. on the same; Thuc. II. 2; Plutarch, Pericl. 24.

<sup>2</sup> See Andoc. p. 93.

<sup>3</sup> Even Petit, IV. 10, 8, has the correct view of this particular. Scaliger's alteration of the one thousand talents into two thousand is as arbitrary, as it is incorrect.

<sup>4</sup> Reiske on Æschin. wishes to read seven hundred.

<sup>5</sup> VI. 26. ἀνεῖλήφει ἡ πόλις ἐκ τῆν - ἐς χρημάτων ἄθροισιν. Comp. the speech of Nicias, Thuc. VI. 12.

Pericles had, previously to this period, proposed to the Athenians to use, in case of necessity, beside the treasure of the state, the precious metals contained in votive offerings, in vessels and utensils, and in other ornaments kept in the citadel, and the gold and the valuable articles belonging to other temples; but subsequently to restore whatever should be used. The first part of this proposition was carried into effect in Olymp. 87 to 89 (B. C. 432 to 424). From the end of Olymp. 89, 3 (B. C. 422) they began to accumulate again, and about Olymp. 90, 2-3 (B. C. 419-418), which may be assumed as the date of the decree of the people above mentioned, three thousand talents may have been collected. They then began to think of reimbursing what was due to the other deities, the interest being computed, as we have seen, for eleven years. For this purpose there were, as has been already remarked, two hundred talents appropriated for all the deities except Minerva. The principal treasure of Minerva was the same as the consolidated treasure of the state, and those three thousand talents which were brought into the citadel for her served as the first payment of the reimbursement of the sums previously taken from the consolidated principal treasure,<sup>1</sup> or, what is the same, of the money due to Minerva. The date ascribed to that decree, considering the method employed to ascertain it, is, to be sure, not certain. Nevertheless, for a reason given in another place,<sup>2</sup> it cannot be far from the truth, and we therefore follow it.

If now up to the period of the Sicilian war about seven thousand talents had actually been accumulated in the treasury, it appears strange, that while the treasury accounts for several of the years in consideration do not exhibit very large annual disbursements, yet toward the end of this war, and in the period immediately subsequent, but a small quantity of money remained. I will, however, endeavor to give an idea of the manner in which that large sum may have been gradually expended. It

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<sup>1</sup> Rangabé, on the contrary, considers them as the reimbursement of an actual loan from the treasure of a temple distinct from the treasure of the state (Antt. Hell. p. 208). That there could not have been so large a treasure belonging to a temple and distinct from the treasure of the state, I have already shown.

<sup>2</sup> I mean the interchange of the forms *ταμίαι*, and *ταμίαις* found in Beilage III. (A), and IV. (B), which occurred about this period. See Beilage IV. (B), Vol. II. p. 66, of the original of the present work.

may reasonably be assumed, that in the three years from Olymp. 89, 4 (B. C. 421) to Olymp. 90, 2 (B. C. 419), about six hundred talents of the money brought into the citadel had been appropriated to various objects of expenditure. But in Olymp. 90, 3 (B. C. 418) according to the treasury account<sup>1</sup> not much more than fifty-five talents were expended. We have no means of ascertaining the disbursement from the treasury for the year Olymp. 90, 4 (B. C. 417), but we will assume that it was one hundred talents. In Olymp. 91, 1 (B. C. 416), of which year we possess an account of the disbursements, all the payments, with the exception of the first items, were made for the Sicilian expedition, partly to Antimachus, in part to the generals. But unfortunately the amounts paid to the generals are wanting. They probably received very large sums, since they were authorized to make the entire preparation.<sup>2</sup> It would be a very high estimate, however, to assume for the preparations, and for the pay of the troops which was taken to Sicily, three thousand talents. If a large amount of money was taken with the expedition, it may more easily be explained why in Olymp. 91, 2 (B. C. 415), according to the treasury account, not more than 353 talents were disbursed from the treasury, of which three hundred talents were for the army in Sicily. This was the only remittance of money sent by the Athenians to Sicily in this year, of which we are informed by Thucydides.<sup>3</sup> In Olymp. 91, 3 (B. C. 414), of which year we have no treasury account, no considerable remittances, so far as the historians inform us, were sent to Sicily.<sup>4</sup> But the military and naval armaments must have occasioned heavy expenditures; since one hundred ships, together with a large number of land troops, were sent out under the command of Eurymedon, Demosthenes, and Charicles,<sup>5</sup> and in the mean time Deceleia was occupied by the enemy, whereby new expenditures may have been required from the treasury. We will, therefore, assume that the

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<sup>1</sup> Beilage II. A. The accounts of the three following years are given in the same, B, C, D.

<sup>2</sup> Thuc. VI. 26. Unfortunately Thucydides has not, where it might have been expected (VI. 31), communicated to us the amount of the expenditures of the state upon the military and naval armaments.

<sup>3</sup> See Beilage II. D.

<sup>4</sup> Comp. Book II. of the present work, near the end.

<sup>5</sup> Thuc. VII. 17, 20.

disbursements from the treasury for this year probably amounted to one thousand talents. These suppositions thus far give an approximate result of only about 5,100 talents. But as early as this year, complaint began to be made of the insufficiency of the pecuniary means, and retrenchments were made even in relation to the military forces by sending home the Thracian mercenaries on account of the pecuniary embarrassment.<sup>1</sup> It is certainly possible, that there was not an absolute want of money, but it was thought that, beside retaining the one thousand talents specially set apart to be used only in case of an attack upon Athens by sea, the treasury ought not to be entirely exhausted. It may, therefore, be assumed, that even at that time there remained, beside those one thousand talents, still about fifteen hundred talents in the treasury. If we suppose that in Olymp. 91, 4 (B. C. 413) another one thousand talents were taken from the treasure, there would remain still five hundred talents for Olymp. 92, 1 (B. C. 412). And in Olymp. 92, 1 and 2 (B. C. 412 and 411), if we are not deceived in the dates ascribed to the fifth and sixth documents in the supplements to the original of this work, there actually were, beside the thousand talents specially reserved, still a thousand talents in the treasury, which had been received in previous years. But soon after the commencement of the year Olymp. 92, 1 (B. C. 412), when Chios had revolted, recourse was even had to the treasure of a thousand talents, which had been specially reserved since Olymp. 87, 2 (B. C. 431).<sup>2</sup> There could not, therefore, have been left, at that date at least, much of the other treasure. That the ancient contributions from the spoils taken from the Persians were used, and no property-tax paid to replace them, is indicated by the chorus of women in the *Lysistrata* of Aristophanes (Olymp. 92, 1, B. C. 412).<sup>3</sup>

I acknowledge that this computation of the seven thousand talents by no means satisfies me, and I would not even have undertaken it, were it not that several treasury-accounts are

<sup>1</sup> Thuc. VII. 27-29.

<sup>2</sup> Thuc. VIII. 15; Schol. Aristoph. *Lysistr.* 173. The latter, on the authority of Philochorus, expressly names Callias as the archon, under whom the Athenian government began to use this sum. He was the archon, who succeeded Cleocritus in Olymp. 92, 1 (B. C. 412), the year in which the comedy of *Lysistrata* was represented. Comp. respecting the having recourse to this fund, Beilage V.

<sup>3</sup> *Lysistr.* 655



extant, relating to the years in which they must have been expended. For I would not conceal the difficulties which arise from the circumstance, that the expenditures from the treasury exhibited by those accounts are so small. I would rather add to this the acknowledgment, that from this circumstance the suspicion has arisen in my mind, that these accounts of the treasurers of the sacred moneys of Minerva do not comprise all the disbursements from the entire treasure in the citadel during the periods to which they relate. But after frequent consideration of the subject in various points of view I have not succeeded in forming an opinion which would avoid the difficulties in which we should be involved by following out that suspicion. I would prefer to consider the statement of Andocides, which Æschines repeats, an exaggeration. I must not, however, fail to remark, in justification of my estimate of the large sums assumed to have been paid out of the public treasure for several years, that a fragment of an inscription found in the citadel, which, from the form in which it is composed, proves to be a treasury-account,<sup>1</sup> certainly contains an item of at least 1,267 talents, appearing to be the sum of a year's account.

But leaving the consideration of those seven thousand talents, I will add a few words concerning the condition of the treasure after Olymp. 92 (B. C. 412). It has been already mentioned, that in Olymp. 92, 1 and 2 (B. C. 412 and 411) there was still money in the treasury beside the reserved one thousand talents. But the treasurers made many payments out of the current revenues (*ἐκ τῶν ἐπετείων*),<sup>2</sup> and in Olymp. 92, 3 (B. C. 410) all the payments were made out of those revenues.<sup>3</sup> In the next three years, also, we find mention of payments from the treasury,<sup>4</sup> while at the same time in Olymp. 93, 2 (B. C. 407) golden images of the goddess of Victory were melted down and converted into coin.<sup>5</sup>

<sup>1</sup> Beilage XI. 4.

<sup>2</sup> Beilage V., VI.

<sup>3</sup> Beilage I.

<sup>4</sup> C. I. Gr. No. 148 (of the date, according to my computation, Olymp. 92, 4 B. C. 409); No. 149 (of the date, according to my computation, Olymp. 93, 1, B. C. 408, and the commencement of Olymp. 93, 2 B. C. 407); Rangabé, *Antt. Hell.*, No. 56 sqq. In this last inscription the receipt of moneys is mentioned, which had been delivered by the treasurers.

<sup>5</sup> See Book IV. 19, of the present work.

Even after Olymp. 93, 4 (B. C. 405) the sum of forty-four talents and something more was paid by the treasurers for a public structure.<sup>1</sup> The history of the public treasure concludes with the battle of Ægospotami. After that battle Athens seems, for the most part, according to the common saying, to have lived from hand to mouth. The passion for the *theorica* consumed the moneys which might have been reserved for public use, and the frequency of the imposition of the property-tax proves the insufficiency of the regular revenues. Whoever, therefore, can dream of the existence of a large public treasure at Athens at the period of the administration of Lycurgus, cannot have informed himself of the condition and the political management of the republic in that age.

The greater part of the treasure consisted of Athenian silver money. Yet we find here and there in accounts, even in those of the treasury, mention of foreign silver money and of various kinds of gold money. It is certain, also, that uncoined gold and silver, partly in bars,<sup>2</sup> and partly manufactured into vessels and ornaments for the statues, were in the citadel. Pericles, according to the representation of Thucydides,<sup>3</sup> asserted in the commencement of the Peloponnesian war, that there were in the citadel not less than five hundred talents of uncoined gold and silver in public and private votive offerings, sacred vessels and utensils for the processions and public games, spoils taken from the Persians, and similar articles, and also a considerable quantity of the same in the other temples. There were also at least forty talents of pure gold upon the statue of the goddess which could be taken off. Its value, according to the lowest estimate, amounted to four hundred talents of silver. For the opinion,<sup>4</sup>

<sup>1</sup> Beilage XVI. 3.

<sup>2</sup> Comp. respecting them, Beilage V. VI.

<sup>3</sup> II. 13.

<sup>4</sup> This opinion Heyne has presented conjecturally in his *Ant. Aufs.* St. 1, 192. But from the expression used by Thucydides it appears to me that there can be no doubt. I will omit the names of the commentators of this historian, and of others who have been unnecessarily diffuse upon this subject, and will remark only, that Quatremère de Quincy, in his valuable work upon the Olympian Jupiter, concurs with me in opinion. Compare with the statements of Thucydides, Plutarch, *Pericl.* 31, and de Vit. *Ær. Alien.* 2. Diodorus, according to his custom, prefers to state (XII. 40) a large quantity, namely, fifty talents as the weight of the gold on the statue. Compare with his statement Suidas

that those forty talents merely indicated that value in silver cannot be correct; since that weight of gold is expressly mentioned. Philochorus seems to state the quantity of gold with still more accuracy than Pericles in Thucydides. Its weight, according to him, was forty-four talents. This, according to the ratio of one to thirteen, amounts to not less than 572 talents of silver. It is to be lamented, that the work of Polemon upon the votive offerings in the citadel has been lost.<sup>1</sup> A considerable number of valuable articles, however, beside those mentioned in the accounts collected by Meursius, may be enumerated from the catalogues which have been published in the supplements in the second volume of the original of this work. But an enumeration of them here would be superfluous, nor may we undertake from those lists to correct the account of Pericles, or fancy ourselves justified in wishing to charge him with falsehood. On the contrary, we must concede that we do not find in them every thing specified to which Pericles referred.<sup>2</sup> At a later date Lycurgus added many articles; others were altered; for example, garlands and phialæ, of which there were many in the citadel.<sup>3</sup> But subsequently many articles were squandered or stolen; for example, Lachares, the tyrant, purloined the ornaments of the goddess and the golden shields.

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on the word *Φειδίας*. The passage of Philochorus is in the Schol. Aristoph. Peace, 604. From it Scaliger has derived the statements in his *Ὀλυμπ. Ἀναγρ.* Olymp. 87, 1 (B. C. 432).

<sup>1</sup> See Meurs. *Cecrop.* 2.

<sup>2</sup> Rangabé, *Antt. Hell.* p. 159 sqq., has made a computation, founded upon the documents of a date prior to the archonship of Euclid, and finds the total amount of the valuations of the votive offerings in the great temple in the citadel, reckoning gold at tenfold the value of silver, to be but little more than seventeen talents. The correctness of the result does not depend upon the determination of the question, whether his assumptions are all correct or not. For an accurate computation cannot be made; since not every article was weighed, and not all the accounts of the weights have been preserved to us in a perfect condition. Besides, the greater part of the articles specified in the lists were not added until after the time of Pericles, and cannot, therefore, be taken into consideration in reference to the statement made by Pericles.

<sup>3</sup> Comp. Demosth. ag. Androt. p. 616; and the Beilagen in many passages.

## CHAPTER XXI.

OF THE PERSONAL PUBLIC SERVICES, OR LITURGÆ, INCUMBENT ON CITIZENS AND RESIDENT ALIENS, IN GENERAL, PARTICULARLY THE ORDINARY LITURGÆ.

HITHERTO we have considered those branches of the public revenue which may properly be called the revenues (*πρόσοδοι*) of the state. But also the personal public services, or liturgiæ (*λειτουργία*), which saved the state an expenditure to the amount of their cost, supplied to that extent the place of a revenue. Demosthenes<sup>1</sup> indeed remarks, that the liturgiæ had no connection with the revenues; but his remark had reference to another aspect of the subject. This subject is the only one in the whole circle of the Athenian financial affairs which has been subjected to an investigation unusually accurate, confirmed also by a reference to ancient authors. I refer to the investigation made by Wolf in his preface to the speech of Demosthenes against Leptines.<sup>2</sup> We shall have to appeal to it, in treating of several particulars; but in relation to the principal part of the subject we shall take our own course. The errors of our predecessors we shall confute, generally without particularly mentioning them, or else with a brief notice. This may be done with the less hesitation with respect to the editor of the speech against Leptines, since he himself acknowledges, that he has made mistakes.<sup>3</sup>

The liturgiæ, as I have already shown,<sup>4</sup> were not peculiar to the Athenians; but they were instituted by them at an early date. As early as in the history of Hippias, the son of Pisistratus, we find mention made of choregia, hestiasis, — the latter, under the name of phylarchy, — and also the trierarchy.<sup>5</sup> This last, al-

<sup>1</sup> Ag. Leptin. § 21 of the ed. of Fr. Aug. Wolf.

<sup>2</sup> P. LXXXV–CXXV.

<sup>3</sup> *Analekten*, No. I. near the end. I must here remark, that my investigations had been long terminated before this acknowledgment, and the promise connected with it to correct the errors, had been published.

<sup>4</sup> Book III. 1.

<sup>5</sup> See Wolf, p. LXXXVIII.



though the ancient writers do not expressly mention it by name, is at the foundation of the account, that Themistocles provided ships from the revenue derived from the mines.<sup>1</sup> That Solon's code of laws instituted the regulation of the exchange of property proves also, that even at the early date when that code was established the liturgiæ had been introduced.

The term signifies a service for the commonwealth (*λίτον, λῆτον, λειτον*),<sup>2</sup> also a service performed by a servant hired by the state, or by one of its slaves (*ὑπηρέτης, δημόσιος*). From the signification of the word alone, then, it may be inferred, as Heraldus<sup>3</sup> has already remarked, that services alone immediately rendered to the state, such as choregia, trierarchy, and the like, were classed among the liturgiæ, but not the obligation to pay the property tax (*εἰσφορά*). The ancient writers, when they aimed at accuracy of language, distinguished between the liturgiæ and the property taxes.<sup>4</sup> Orphans were exempted from all liturgiæ, but not from the property tax.<sup>5</sup> Who does not perceive from this fact, that the two ideas were entirely distinct? The advance of the property tax for others (*προεisqueρά*) alone, as a public service essentially distinct from the payment of the property tax itself, was considered as a liturgia. Hence the person represented as the speaker in the speech of Demosthenes against Polycles could say, that he could not have been required to perform the public service of advancing the property tax for others, because he was trierarch, and the law exempted from the performance of two liturgiæ at the same time.<sup>6</sup> If then the payment of the property tax itself had been considered as a liturgia, all choregi, trierarchs, gymnasiarchs, and other liturgi would have been exempted from it.

<sup>1</sup> See Book IV. 12; and comp. Book I. 19 of the present work, and the "Abhandlung" there cited.

<sup>2</sup> Wolf, p. LXXXVI.; comp. Lex. Seg. p. 277, and the Rhetorical Dictionary in the Appendix to the English edition of Photius, p. 670. *Λειτουργεῖν* is defined by the grammarians *εἰς τὸ δημόσιον ἐργάζεσθαι, τῷ δημοσίῳ ὑπηρετεῖν*.

<sup>3</sup> Anim. in Salmas. Obs. ad I. A. et R. VI. 1, 7.

<sup>4</sup> Speech ag. Euerg. and Mnesib. p. 1155, 22. Here the trierarchy is included among the liturgiæ. Comp. p. 1146 near the top. Isocrates clearly makes the same distinction, *Συμμαχ.* 40 near the end, and in the speech on the Exchange of Property, p. 80, Orell.

<sup>5</sup> See Book IV. 1, 11, of the present work.

<sup>6</sup> Demosth. ag. Polycl. p. 1209, 2. Comp. also, Speech ag. Phœnipp. p. 1046, 20-24.

But this was manifestly not the fact. While, however, the property tax was classed among the *liturgiæ* the explanation of these contradictions was rendered impossible, and consequently the writers upon these subjects preferred not to attempt it. The ignorant Ulpian<sup>1</sup> is the only author, who can be cited as authority for classing the property tax under that head. Nor can a few ambiguous expressions in ancient writers, according to which the property taxes may seem to be called *liturgiæ*, confirm the propriety of thus classing them. For where an accurate distinction of terms was not absolutely requisite, every public service, and the undertaking of the performance of any public business, were denoted by the use of that word. So also every contribution, every pecuniary aid, every expenditure in behalf of the commonwealth, by an extension of the signification of the term, was called a *choregia*.<sup>2</sup>

The *liturgiæ*, in general, may most suitably be compared with the personal services and contributions in kind of the present day, although not only the acts and articles in which they consisted were very different, but also the comparison does not hold in relation to several other particulars. Moreover, the *liturgiæ* of the Greeks were distinguished by a much more generous and noble characteristic than the corresponding services and contributions of the present day. They were considered honorable services.<sup>3</sup> This consideration rendered them much more profitable to the state than they could possibly have been under any other government than the ancient democracies. In those commonwealths the effects of emulation were truly wonderful. The services performed were usually greater than the law prescribed. Niggardliness in the performance of them was considered disgraceful. The state needed no paid officers or contractors to superintend or undertake their execution, nor was it obliged to allow a profit to the latter, or to both the illegal privileges sometimes bestowed upon public officers and contractors at the pres-

<sup>1</sup> On Lept. § 24, and elsewhere.

<sup>2</sup> So, for example, it might be said with respect to any object, *χορηγῆσαι τινι δαπάνῃ*, etc. The most striking example of the kind is in Demosth. on the Crown, p. 261, in a so called catalogue, in which even the trierarchal contribution was called *χορηγία*.

<sup>3</sup> Aristot. Nicom. Eth. IV. 5; Xenoph. Off. Mag. Eq. 1, 26; Isocr. Arcopag. 20. Comp. Wolf. p. CXVII. Note.

ent day. The disadvantage that the speedy completion of naval preparations was prevented by the practical operation of the institution of the liturgiæ was not exhibited, until at a later date the zeal of the Athenians for the public service had become cooled. In the better times of the republic every hindrance was speedily overcome. But a just distribution of these services was certainly of difficult accomplishment. While one person exhausted his resources, another did little or nothing, although his property was not inferior in amount. Finally, they afforded the citizens an occasion for ambitious and useless expenditure, and for pernicious exertions to obtain the favor of the people.<sup>1</sup> Aristotle<sup>2</sup> justly expresses the opinion, that so far from tolerating costly and useless liturgiæ, such as the choregia, the lampadarchia, and the like, those persons who voluntarily engaged to perform them should be prevented by the state.

The greater part of the liturgiæ were ordinary (ἐγκύκλιοι λειτουργίαι)<sup>3</sup> or regular personal public services. The trierarchy, and the advance of the property tax for others were extraordinary liturgiæ. We shall omit the examination of the latter in this place, and comprise it in the consideration of the taxes themselves. There is no particular appellation for the extraordinary liturgiæ. Reiske invented the appellation of liturgiæ performed by special command (προστακταὶ λειτουργίαι), in order to correct a passage in a Byzantine decree of the people of doubtful authority, by which exemption from certain liturgiæ in Byzantium was granted to the Athenians.<sup>4</sup> But there is no probability, that the extraordinary personal public services are meant; since, at least at Athens, there was no exemption allowed from them, but only from those which were regular. Moreover, the propriety of the correction, even if the former were meant, would still remain very doubtful.

<sup>1</sup> For example, the expenditure of Alcibiades upon the choregia, gymnasiarchy, and trierarchy was excessive. Isocr. *περὶ τοῦ ζεύγ.* 15. This is what is meant by the phrases, *καταλειτουργεῖν, καταχορηγεῖν* one's property. But one might in like manner *καταζευγοτροφεῖν*, and *καθιπποτροφεῖν* his means without serving the state.

<sup>2</sup> Polit. V. 7, 11. Schn. (8).

<sup>3</sup> Lex. Seg. p. 250, explains the expression as follows: *αἱ κατ' ἐνιαυτὸν γινόμεναι, οἷον χορηγίαι, γυμνασιαρχίαι καὶ ἱερῶν περίοδοι* (the architheoria). The word ἐγκύκλιος does not contain the idea that the liturgiæ recurred annually; it was applied to every thing usual, or of ordinary occurrence.

<sup>4</sup> Demosth. on the Crown, p. 256, 10.

The ordinary liturgiæ, then, which are here to be considered, are principally the choregia, the gymnasiarchia, and the feasting of the tribes (ἐστιάσις).<sup>1</sup> The architheoria is a fourth,<sup>2</sup> which, though not unimportant of itself, yet, on account of the simplicity of the subject, does not require a detailed exposition. I remark only, that to assist in defraying the expenses of the latter, the state,<sup>3</sup> or, in place of it, the sacred treasuries,<sup>4</sup> advanced, as in the case of the trierarchy, considerable sums. This is asserted, without proof, of the gymnasiarchy and choregia also by an insignificant writer.<sup>5</sup> But there were also, beside these, other liturgiæ, as, for example, for the arrephoria, for the contest in relation to euandria in the Panathenæa,<sup>6</sup> the trierarchy for mock sea-fights at the celebration of the festivals. Finally, there belonged to the liturgiæ certain services performed in the solemn processions by the aliens under the protection of the state.

The obligation to the performance of the liturgiæ, with the exception of the last-named services, depended upon the amount of property possessed. The possession of property to the amount of forty-six minas, or even of one or two talents, did not oblige the possessor, although he could maintain himself from it, and was required to pay property taxes upon it, to perform any of the liturgiæ.<sup>7</sup> No one was under obligation to perform any of these services, unless he was possessed of property to the amount of three talents.<sup>8</sup> They were, however, sometimes, vol-

<sup>1</sup> Wolf, p. LXXXVII.

<sup>2</sup> See the passages in Wolf, p. XC. and respecting the theori the inscriptions in several places. Meier has amply treated the subject in a Programm über die Theorien (Halle, 1837, 4).

<sup>3</sup> See Book II. 6, of the present work.

<sup>4</sup> Beilage VII. § 5. See the same passage, also, in reference to the architheoria of Nicias.

<sup>5</sup> The anonymous author of the argum. to Mid. p. 510, Reiske.

<sup>6</sup> Andoc. ag. Alcib. Harpocr. Suid. Phot. on the word *εὐανδρία*; Lex. Seg. p. 257, 13, and other authorities. Meier exhausts the subject in his Andocideis, V. 12, p. 117 seq. To his account I will add the passage of the Panathenaic inscription in Ephem. Archæol. No. 136, among those designating the *νικητήρια* after the mention of the *pyrrhichistæ*: 'Ἡ εὐανδρία φυλῇ νικῶση βούς.

<sup>7</sup> Isæus concern. the Estate of Hagn. p. 292 (respecting this passage, see Book I. 20, of the present work); Demosth. ag. Aphob. I. p. 833, 22.

<sup>8</sup> For cases of this kind see Book IV. 15, of the present work, which treats of the trierarchy; if, indeed, the account is correct.



untarily performed by persons possessed of a less amount of property. There were no companies (*συντέλειαι*) formed for the performance of the regular liturgiæ<sup>1</sup> until Olymp. 92, 1 (B.C. 412), in the archonship of Callias, after the exhaustion occasioned by the Sicilian war, at which date a decree of the people was passed, that permitted two persons to perform the choregia together.<sup>2</sup> The person who was to perform the liturgia was appointed by the tribe of which he was a member, and the tribe participated with the individual in the honor of the victory. Hence it was named as victor in the inscription upon the tripod. This appointment of individuals for the performance of these services, must have been made according to a certain order of succession. But one person might perform these services for two tribes at the same time, particularly when there was a failure of choregi.<sup>3</sup> The liturgiæ of the aliens under the protection of the state were entirely distinct from those of the citizens. According to Demosthenes,<sup>4</sup> the regular liturgiæ required annually about sixty persons only to perform them. But this is hardly credible; since even for a single feasting of the tribes ten hestiatore were required, an emulation was always excited among many individuals for the supply of the choruses of every kind, and every tribe, as a general rule, was required to furnish a choregus and a gymnasiarch for the celebration of a solemnity.<sup>5</sup>

If a person appointed to the performance of one of the regular liturgiæ thought that another person should have been appointed instead of himself, he could have recourse, as in the case of the trierarchy, to the legal remedy of the exchange of property. In order that no person should be excessively burdened, it was directed by an ancient law, that the obligation to perform a liturgia should recur only every other year.<sup>6</sup> No person was

<sup>1</sup> Demosth. ag. Lept. § 19.

<sup>2</sup> Schol. Aristoph. Frogs, 406. With it may be connected the Platonius published in the forepart of Küster's Aristophanes, p. XI.

<sup>3</sup> C. I. Gr. No. 216; Antiphon, π. τοῦ χορ. p. 768; Demosth. ag. Lept. p. 467, 27, and the ancient commentators cited there by Ulpian.

<sup>4</sup> Ag. Lept. § 18, and Wolf on the same.

<sup>5</sup> This may be even inferred from the passages collected by Sigon. R. A. IV. 9, and is expressly said by the authors of the arguments to the speech ag. Mid. and by Ulpian on the speech against Lept. § 24, in reference to the great Dionysia.

<sup>6</sup> Demosth. ag. Lept. § 7 (p. 459, 12 Reisk.).

required to perform two liturgiæ at the same time.<sup>1</sup> From this it follows of course, and it is also expressly testified by ancient authors,<sup>2</sup> that the trierarchs, during the period of their trierarchy, were exempt from the regular liturgiæ. Orphans were exempted (*ἀτελεῖς*) from the performance of all the liturgiæ until the period of their majority, and one year beyond it.<sup>3</sup> Exemption from the performance of the regular liturgiæ was bestowed, also, as a reward or mark of honor. To this Demosthenes<sup>4</sup> refers, when he asserts, that there were about five or six citizens, and less than five aliens, under the protection of the state, exempt, but adds, that, in order to give a large estimate, he would say of the latter, ten. Leptines induced the people to abolish, in Olymp. 106, 1 (B. C. 356), all exemptions from the performance of the liturgiæ, both in relation to the citizens, as well as to the aliens under the protection of the state, and the isoteleis, and even to prohibit the applying for such exemption, and the bestowment of it for the future. But the speech of Demosthenes, delivered in the following year, occasioned the abrogation of the law to that effect passed at the suggestion of Leptines.<sup>5</sup>

<sup>1</sup> Demosth. ag. Polycl. p. 1209, near the top.

<sup>2</sup> Demosth. ag. Lept. § 16 (p. 462, 23). This passage, however, after Wolf's correct explanation of it, can no longer be used to prove this point. Ag. Mid. p. 565, 3. That when the period of a person's trierarchy was concluded, he could be required to perform liturgiæ of another kind, is a matter of course, and there are found many examples of it, which certainly cannot all be ascribed to voluntary service. The choregia of Hypericles, in a year in which he was trierarch, was a voluntary service. It is expressly remarked in the passage, which contains the account of it, that the others (namely, the other trierarchs) were exempt. See the passage in the "Securkunden," p. 189.

<sup>3</sup> Concerning the atelia in general, see Wolf, p. LXXI. seq. Book I. 15, of the present work, and what I have elsewhere adduced with respect to each particular separately, as Book III. 4, Book IV. 1, 10, 11.

<sup>4</sup> Lept. § 17.

<sup>5</sup> Dio Chrysost. Or. Rhod. XXXI. Vol. I. p. 635. Reisk.

## CHAPTER XXII.

## OF THE CHOREGIA.

AMONG the regular liturgiæ, designed for the celebration of the festivals and the diversion of the people, the choregia was considered the most important.

The choregus had the charge of providing the chorus in the theatrical representations, the tragic and satiric, as well as comic representations (*τραγωδοῖς, κωμικοῖς*), also the lyric choruses of men or boys, pyrrhichistæ, cyclic dancers, flute-players (*χορευεῖν ἀνδράσιν, or ἀνδρικοῖς χοροῖς, παῖσιν, or παιδικοῖς χοροῖς, πνύχισταῖς, κυκλίῳ χορῷ, ἀνλῆταις ἀνδράσιν*), and so forth. On the other hand, it cannot be proved, as Heraldus<sup>1</sup> has already remarked in opposition to Salmasius, that the choregus was required to defray the expense of the whole performance in theatrical representations. The state itself, as may be proved from many passages of ancient authors, directly furnished large sums to defray the expenses of the theatrical representations, and the lessee of the theatre was obliged to furnish many things required for them. In return for his services and expenses, the entrance-money was assigned to him. But what the choregus was obliged to provide beside the chorus is to me uncertain. If the actors were provided by the choregus, the state would have assigned them to the choregi. But they were allotted to the poets, and not to the choregi.<sup>2</sup> It is also frequently mentioned, that this or that performer acted in particular for this or that poet. Besides, the poet instructed the actors independently of the choregus. But it was entirely the reverse in relation to the instruction of the chorus. It is, therefore, also very doubtful to me, whether the choregus was

<sup>1</sup> Anim. in Salmas. Obs. ad I. A. et R. VI. 8, 2 sqq.

<sup>2</sup> Hesych. Suid. Phot. on the phrase *νεμήσεις ὑποκριτῶν*. To each poet three actors were assigned by lot; evidently after a previous examination of them. For an actor, it is said, who had obtained the victory in the examination was taken the next time without being subjected to a new examination.

required to furnish the wardrobe of the actors.<sup>1</sup> The choregi appointed by the tribes were allotted by the archon to the poets. This was called *giving a chorus*.<sup>2</sup>

The next duty of the choregus was to cause the chorus to be instructed by a teacher (*χοροδιδάσκαλος*), and to pay him for his instruction. The teachers themselves were persons who had been previously nominated for that office. The choregi received them, as Antiphon informs us, by lot, but, doubtless, in such a manner that the lot determined, as in the selection of the flute-player, only the order in which the choregi should choose. For every tribe and choregus would of course wish to have the best teacher.<sup>3</sup> We find, however, that the choregus sometimes

<sup>1</sup> I cannot consider the passage of Plutarch, Phoc. 19, to be of much moment. The passage commences as follows: *καὶ ποτε θεωμένων καινῶν τραγωδῶν Ἀθηναίων ὁ μὲν τραγῳδὸς εἰσέναι μέλλων βασιλίδος πρόσωπον ἤτει καὶ κεκοσμημένας πολλὰς πολυτελῶς ὀπαδοὺς τὸν χορηγόν*: upon which the tragedian, in the hearing of the spectators, fell into a quarrel with the choregus. There is in it the twofold absurdity, that the tragedian is said to have asked, at the moment when he was about to appear on the stage, first for the mask or the costume of a queen, and then for an expensively ornamented train of attendants. And although an endeavor has been made to remove the first absurdity, by placing a comma after *πρόσωπον*, so as to make *βασ. πρόσωπον* dependent upon *εἰσέναι*, which is incompatible with the position of the words, yet the second absurdity remains. For how can it be possible, that the actor should have asked, at the moment when he was about to appear on the stage, for what ought long beforehand to have been provided? The affair could not have occurred, therefore, just as it is related. Besides, the *τραγῳδὸς* is here represented to have made a demand of the choregus, which no one but the poet could have made. But the *τραγῳδὸς* was not the *ποιητής*, except in so far as the poet himself performed a part in the drama. I conjecture that some incident which had occurred between the poet and the choregus long before the representation gave occasion to the comical anecdote. The poet had requested *κεκοσμημένας πολλὰς πολυτελῶς ὀπαδοὺς* for his queen; the choregus had refused them. The poet may have considered them as an additional chorus, and, therefore, have requested them of the choregus in addition to the chorus already furnished, and the choregus, on the other hand, may have refused them, because he did not acknowledge that these female attendants were a chorus, and because he was unwilling to furnish more than was required of him. It is certainly manifest from Aristoph. Peace, 1022, that the choregus also furnished articles for the stage, for example, a sheep, which was required in the representation of a comedy; a fact which C. Fr. Hermann, in his work de Distrib. Person. inter Histriones in Tragœd. Gr. p. 65, has prominently exhibited. In the sequel of this chapter I return once and again to the point under consideration, namely, that the choregus was not required to defray the whole expense of the dramatic representation.

<sup>2</sup> *Χορὸν δίδοναι*. The corresponding phrase on the part of the poet was *χορὸν λαβεῖν*. Comp. Plat. Rep. II. near the end, and the Schol. on the same; also, on Laws, VII. p. 817, D; Aristoph. Frogs, 94; Casaub. on Athen. XIV. p. 638, F.

<sup>3</sup> Demosth. ag. Mid. p. 519; Aristoph. Birds, 1404; Antiphon π. τοῦ. χορ. p. 767, 768; Comp. Petit, III. 4, 2.



chose a teacher for his chorus, who had not been nominated for that office.<sup>1</sup> It was also the duty of the choregus to provide the singers or musicians who were to receive instruction. The procuring of them for the choruses of boys was often attended with great difficulties, because the parents gave up their children for this purpose with reluctance. The choregi, therefore, sometimes threatened them with punishment, or with violence took pledges from them to compel them to submission.<sup>2</sup> This proceeding was necessary, not only in Athens, but also in other places. Even in the Augustan age, the persons whose duty it was to provide the choruses in Stratonicea of Caria, were authorized for this purpose to force the children from the parents.<sup>3</sup> The cause of this refusal was the apprehension of seduction. For this reason the law of Solon prescribed for the choregi, at least of the choruses of boys, the staid age of more than forty years.<sup>4</sup> This law, however, even in relation to those choruses, and before the anarchy, was not enforced. Moreover, the services of the chorus, as well as those of the actors, were not gratuitously bestowed, as has been assumed in relation to the native artists.<sup>5</sup> The Athenians demanded as high a price for dancing, singing, and running, as foreigners.<sup>6</sup> The choregus was required, when his chorus was about to perform, to provide good food, adapted to strengthen the voice, and beverages<sup>7</sup> prepared with the same view, and generally to support the chorus during the period in which it was receiving instruction. For the solemnity itself he provided, as the architheori for the theoriæ, the requisite ornaments, the sacred and costly clothing adorned with gold for himself and for the chorus, golden garlands,<sup>8</sup> and for a dramatic

<sup>1</sup> Demosth. ag. Mid. p. 533.

<sup>2</sup> Antiphon, ut sup.

<sup>3</sup> C. I. Gr. No. 2715.

<sup>4</sup> Æschin. ag. Timarch. p. 39.

<sup>5</sup> Wolf, p. XCIII. note.

<sup>6</sup> Treatise on the Athenian State, I. 13.

<sup>7</sup> Plutarch on the Glory of the Athen. 6; Antiphon π. τοῦ χοροῦ. and the argument of this speech. Respecting the support of the chorus, see also the anonymous author of the argument of the speech of Demosth. ag. Mid.; and Ulpian on Lept. § 24. In Corcyra, also, and certainly everywhere, the choruses and musicians were provided with the means of support, either in kind or in money (συνήρῃσια); see C. I. Gr. No. 1845.

<sup>8</sup> Demosth. ag. Mid. p. 519, 520, 531; Antiphanes in Athen. III. p. 103, F; Ulpian, as above cited. Comp. Herald. ut sup. 5.

exhibition the masks of the chorus and other requisite articles. The choregus was also required to furnish a place for the school, either in his own or some other house.<sup>1</sup> Several persons were required as attendants. For example, the person represented as the speaker in the speech of Antiphon, already cited, employed four men to supply the wants of the chorus. The sole duty of one of them was to purchase whatever the teacher considered useful for the boys. The choregus who did not sufficiently provide for the wants and for the performance of his chorus, was constrained by the proper authorities to furnish what was requisite.<sup>2</sup>

The choregia, therefore, certainly occasioned a heavy expense, but differing according to the nature of the performance. The chorus of flute-players, it is acknowledged, cost more than the tragic chorus.<sup>3</sup> From this it follows, that the choregus did not provide every thing which was required in a dramatic exhibition. The comic chorus cost less than the tragic, for it was considered vulgar to bestow much expense on the former for gold, purple, and similar ornaments.<sup>4</sup> Demosthenes<sup>5</sup> says, upon the occasion of mentioning the present which the people gave to Lysimachus the son of Aristides, that any person would prefer to receive the third part of it, to obtaining exemption from the performance of the liturgiæ. The present was a valuable one, but we are too little acquainted with the value of landed property in Eubœa at that time, to ascertain with certainty what amount of income Lysimachus obtained from his present. I do not believe, however, that the third part of his income from his present amounted to more than twelve hundred drachmas. The average annual expense, then, of a rich man for the ordinary liturgiæ could have hardly equalled that amount, provided that he should do only what was absolutely necessary, or only a little more. The Aristophanes<sup>6</sup> of Lysias, had, in behalf of himself and his father, within a period of four or five years, expended five thousand drachmas for two choregiæ for tragedies, and during three years

<sup>1</sup> Antiphon, in the speech already cited.

<sup>2</sup> Xenoph. Hieron. 9, 4.

<sup>3</sup> Demosth. ag. Mid. p. 565, 6.

<sup>4</sup> Herald. VI. 8, 5.

<sup>5</sup> Demosth. ag. Lept. § 95.

<sup>6</sup> Lysias for the Property of Aristoph. p. 642. Comp. p. 633.

of the same period he had also been trierarch. He had manifestly done more than the law required.

But a splendid example of excessive expenditure for liturgiæ is given by the person represented as speaker in another speech of the same author.<sup>1</sup> This person when eighteen years old, after undergoing the scrutiny (*δορυμασία*) had been choregus in the archonship of Theopompus (Olymp. 92, 2, B. C. 411), and had expended three thousand drachmas for a tragic chorus. Three months afterwards in the same year he had expended for a chorus of men, with which he gained the victory, two thousand drachmas. In the following year in the archonship of Glaucippus, (Olymp. 92, 3, B. C. 410,) he had expended for a chorus of beardless pyrrhichistæ at the celebration of the great Panathenæa eight hundred drachmas, and in the same year for a chorus of men at the celebration of the great Dionysia, with which he gained the victory, together with the consecration of the tripod, which was generally placed upon a monument containing an inscription, five thousand drachmas. Immediately afterwards in the archonship of Diocles (Olymp. 92, 4, B. C. 409) at the celebration of the lesser Panathenæa he expended for a cyclic chorus three hundred drachmas. These statements, at the same time, indicate the proportion of the expenses for the different festivals. The same person was trierarch for seven years, from Olymp. 92, 2 (B. C. 411) to Olymp. 93, 4 (B. C. 405), and he expended in performing the duties of that liturgia six talents. He paid during the same period, although he was absent on duty as trierarch, two property taxes, one of three thousand, the other of four thousand drachmas. In the archonship of Alexias (Olymp. 93, 4, B. C. 405) he was gymnasiarch at the celebration of the Prometheia, and was victorious. His expenditures on that occasion amounted to twelve hundred drachmas. A chorus of boys cost him soon afterwards more than fifteen hundred drachmas. In the archonship of Euclid (Olymp. 94, 2, B. C. 403) he obtained the victory with a comic chorus. His expenses on that occasion, together with those for the consecration of the dresses and ornaments, amounted to sixteen hundred drachmas. In the same year

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<sup>1</sup> *Ἀπολ. δωροδ.* p. 698 sqq. Petit, *Leg. Att.* III. 4, 1, has treated this passage with his usual ill fortune. He has been already censured for it by others.

he expended as choregus for a chorus of beardless pyrrhichistæ, at the celebration of the lesser Panathenæa, seven hundred drachmas, conquered with his trireme in a mock naval engagement near Sunium at an expense of fifteen hundred drachmas, and expended in addition three thousand drachmas, at the celebration of the Arrephoria, upon an architheoria, etc. The total amount of his expenditures in nine years is ten talents, 3,600 drachmas, or 15,900 thlr. (or \$10,875.60).

This person unquestionably made great sacrifices. But lest we should derive from this example any false ideas respecting the public burdens, we must consider, that, whether through a passion for distinction, or a desire to expend a large fortune upon noble objects, he performed more than the law required. We will not take into consideration, that the sums may possibly be exaggerated. In the first place he was not obliged, in the first year immediately subsequent to the scrutiny, to perform any liturgia; nor to devote himself to the performance of them several successive years without interruption; nor to perform the regular liturgiæ at the same time with the trierarchy, the latter exempting him from the former; nor to serve as trierarch for seven years, the obligation to the performance of that liturgia recurring only once in three years.<sup>1</sup> Indeed, after the termination of his trierarchy he was exempt by law for the space of a year from the performance of all liturgiæ. In short, he did not in the least exaggerate, when he asserted that he was not required by law to perform the fourth part of the services which he had executed. But let us assume that he was under obligation to perform the fourth part of those services, requiring an expenditure of 3,975 thlr. or \$2,718.90, yet it must not escape our notice, that during seven of the nine years an oppressive war prevailed, and that two property taxes were raised within that period, and also that the man was possessed of a very considerable estate. This is evident from the great amount of his expenditures, and particularly from his continuing so long trierarch. Let us estimate his property at twenty talents. This certainly cannot be an over-estimate. The paternal inheritance of Demosthenes, to which the obligation of performing the trierarchy was attached, amounted to fifteen talents. But many others possessed double,

<sup>1</sup> Διὰ τὴν καθ' ἑαυτοῦ, Isæus concern. the Estate of Apollod. p. 184.



triple, or many times that amount of property. The person who is represented to us as the speaker in this speech, then, must, upon an average, have paid from a property of the value of 30,000 thlr. (\$20,520), 460 thlr. (\$314.64) annually.

To the person who considers this sum relatively large, I answer somewhat enigmatically, that it is precisely the same as if a citizen at the present day were not only not obliged to pay any thing to the state, but annually received as an addition to that amount of property a present of about 1,200 thlr. (\$820.80). For if we reckon, that only 24,000 thlr. (\$16,416) of that sum produced interest, the average rate of interest being twelve per cent., the proprietor would have received an annual income of 2,880 thlr. (\$1,972.12). Of this he paid for the purposes mentioned about the sixth part. On the other hand the person, who at the present day possesses property to the amount of 24,000 thlr. (\$16,416) producing interest at the rate of five per cent., receives at the most an income of 1,200 thlr. (\$820.80). And what could not one in those times, considering the lowness of prices, accomplish with the five sixths of his income, which remained? He might have been very expensive in his habits without consuming the whole of this remainder. Thus the great marvel of the enormous taxes of the Athenian citizens is unriddled. In order to show this here at once, we have taken into consideration in this connection the whole passage of Lysias, even that part of it, which does not relate to the choregia. Every age must be judged from itself; what in one appears incomprehensible, is in another perfectly natural.

Through the unsuccessful termination of the Peloponnesian war with the battle of Ægospotami (Olymp. 93, 4, B. C. 405) and the dominion of the thirty tyrants, the prosperity of Athens received as sensible a shock, as its power; since commerce, rents, traffic declined, and all foreign landed property was lost. It is no wonder, therefore, that at the representation of the Æolosicon of Aristophanes, and of the Plutus of the same author, for the second time, (Olymp. 97, 4, B. C. 389,) there was a failure of choregi for the comic chorus,<sup>1</sup> although there was no such failure in the archonship of Euclid (Olymp. 94, 2, B. C. 403).<sup>2</sup> The para-

<sup>1</sup> Ἐπέλιπον οἱ χορηγοί, Platonius on Comedy, p. XI.; Life of Aristophanes, p. XIV. Comp. respecting the phrase, Demosth. ag. Lept. § 18.

<sup>2</sup> See the instance just mentioned on a preceding page. Two examples of choregia

basis disappeared from the comedy for another reason. The chorus was retained, but only as an unimportant coöperating character in the representation. To this there are single exceptions in the middle comedy,<sup>1</sup> and these may be explained by supposing that the choregia was voluntarily undertaken. Thus in the second representation of Plutus the chorus performed a very subordinate part, and there were no songs connected with the story of the piece introduced where the course of the play required it, and for which a particular choregia does not seem to have been requisite. The chorus was in the same condition also in the new comedy; namely, in the comedies of Menander.<sup>2</sup> The abolition of the choregia is ascribed by the Greek commentator of Aristophanes<sup>3</sup> to Cinesias, to whom the attacks of comedy had become very troublesome. Comedy, however, did not cease at the same time with the chorus; a new proof for the assertion that the choregus did not provide for the representation of the whole play; but, that in particular, he only furnished the chorus. Demosthenes in his speech against Leptines<sup>4</sup> declares that he does not apprehend any want of choregi. But his own speeches, and, indeed, some occurrences of his own life show, that in his time the full number of the choregi were not appointed. The tribe Pandionis had for three years before Demosthenes wrote the speech against Midias, or three years prior to that date, or rather for the third year<sup>5</sup> at the date of the event to which

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for comedy at a date subsequent to the archonship of Euclid are found in the inscriptions C. I. Gr. No. 219, and No. 228: I would not assert, that instances of its performance did not frequently occur, as has been already intimated, even subsequently to Olymp. 97 (B. C. 392).

<sup>1</sup> Meineke, Hist. Crit. Com. Gr. Vol. I. p. 301 seq.

<sup>2</sup> Franz Ritter de Aristoph. Plut. p. 12 sqq.; Meineke ut sup. p. 441.

<sup>3</sup> Frogs, 406.

<sup>4</sup> Ut sup.

<sup>5</sup> Demosth. ag. Mid. p. 518 seq.; Decree of the people 1, in the Appendix to the Lives of the Ten Orators. Demosthenes says: *ἐπειδὴ γὰρ οὐ καθεστηκότος χορηγοῦ τῇ Πανδιονίδι οὐδ' ἡ τρίτον ἔτος ταυτί, παρούσης δὲ τῆς ἐκκλησίας*, etc. The expression *τρίτον ἔτος ταυτί* in this passage is ambiguous. For it may mean, *for the three years past reckoning from the present year*, or, what is commonly the same, *for the third year* (Æsch. π. παραπρ. p. 314), and also *three years since* (Demosth. Olynth. III. p. 29, 21, and elsewhere). The last interpretation of the phrase has been adopted by the following authors beside H. Wolf; namely, Böhnecke Forschungen, Vol. I. p. 50; Westermann Zeitschrift für Alt. Wiss. 1845, p. 684; Vömel, the same, 1846, p. 131. Böhnecke assumes that the speech was written in the third year, that Demosthenes was choregus in the second year, and that he was appointed in the first year. On the other hand, Vömel

he refers, furnished no choregus, until a dispute having arisen between the archon and the superintendents of the tribe, Demos-

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remarks, that it cannot be assumed that the appointment to the choregia was made a year before the performance of its duties, and the only probability rather is, that it was made at the commencement of the year, in which its duties were to be performed, and by the same archon, who afterwards conducted the celebration of the festival (the Dionysia). We must assume, therefore, if we adopt Vömel's opinion, that there was an entire civil year between the civil year in which Demosthenes performed the duties of the choregia and the year in which the speech was composed. An assumption which I cannot conclude to make. But in this case there is a singular peculiarity in the first interpretation, since the expressions "for three years past, reckoning from the present year" and "for the third year" would not, that interpretation being adopted, be in the present case, as they commonly are, absolutely identical in signification. For the composition of the speech against Midias occurred in a later civil year, than the event to which the words in question relate. If then we so understand the words that *ἔτος τούτῳ* denotes the *current year, in which the speech was written*, the interpretation "for the third year" would be excluded thereby, and there would remain only the form of expression "for three years" applicable. But there would be this singularity in its application that the time since which the tribe Pandionis had no longer appointed a choregus was reckoned even to the year in which Demosthenes wrote the speech, although it should rather have been reckoned only to the date of the event of which the passage treats. On the other hand, the form of expression "for three years" would be identical in signification with the other "for the third year," if the event which is the subject of the passage and the composition of the speech had occurred in the same year. But, since the contrary was certainly the case, the interpretation "for the third year" seems inadmissible, because it would contain a contradiction to the unquestionable fact, that the composition of the speech and the event which was the subject of the passage did not occur in the same year. The author of the argument to the speech ag. Mid. p. 510, 24, has, however, understood the passage to signify, that the tribe Pandionis had at that period for the third time in succession, or "for the third year," failed to appoint a choregus. With general reasons such as these, "the tribe Pandionis was rich, in the age of Demosthenes the public services were cheerfully performed," etc., that interpretation cannot be confuted. I acknowledge, also, that I cannot well reject the interpretation of the author of that argument. It is commended particularly by the collocation of the words; since, if Demosthenes had employed the phrase *τρίτον ἔτος τούτῳ* in the signification "three years since," the construction would have been much more correct, had he written: *ἐπειδὴ γὰρ τρίτον ἔτος τούτῳ, οὐ καθεστ.*, etc. The interpretation of that author, however, can be maintained only by reckoning, not from the current year in which the speech was written, but from the year in which the event which is the subject of the passage occurred; understanding, therefore, by "*this year*," not the year in which the speech was composed, but the year in which the event occurred. *Ἔτος τούτῳ* of itself, and in that form of expression in which it is used in the passage, certainly, in general, means the current year, in which one is speaking, the immediately present year. But in relation to the occurrence mentioned the year in which it happened was the immediately present and current year. And since the mind of Demosthenes, in his lively conception of the circumstances of the occurrence, reverted to the period in which it happened, he could say the tribe Pandionis appointed no choregus *even to this third*, at that time, *current year*. On account of the uncertainty of the interpretation of the phrase I have above left to the reader the option among all possible interpretations. It is

thenes voluntarily undertook the choregia. In Olymp. 127, 2 (B. C. 271), we find even the state performing the duties of choregus for the tribes Pandionis, and Hippothontis; and, indeed, it was in both instances victorious in the choruses of boys and of men.<sup>1</sup>

## CHAPTER XXIII.

### THE GYMNASIARCHY. THE FEASTING OF THE TRIBES, OR HESTIASIS.

THE gymnasiarchy of the Athenians was in the times of the Roman emperors assigned partly to annual, partly to twelve or thirteen monthly gymnasiarchs. They had the superintendence of the gymnastic schools, and of the exercises which were required to be practised under the direction of the teachers (*γυμνασταί, παιδοτροίβαι*).<sup>2</sup> We are acquainted with the gymnasiarchy of the later periods of Athens only from the inscriptions of those periods. But we find, that even in those times annual gymnasiarchs were

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singular, that also the reading *τέταρτον* is found, and even *τρίτον ἢ τέταρτον* (comp. Olynth. III. as above cited).

<sup>1</sup> C. I. Gr. No. 225, 226. I have collected together other inscriptions relating to choregi, as many of them as were known to exist at the date of that publication, in C. I. Gr. Nos. 211–228 (with the exception of No. 214). To these should be added also No. 226, b. in the Add. There are still to be added the inscriptions in Rangabé, *Antt. Hellen.* No. 55 (also in the *Bullet. des Inst. f. Archæol. Corresp.* 1840, p. 141, and at an earlier date more imperfectly and in such a manner as to be unintelligible, in C. I. Gr. No. 1037); in the same, *Revue Archéol.* (Paris, 1845) Vol. II. p. 366; in Leake's *Travels in North Gr.* No. 58, Wordsworth's *Athens and Attica*, p. 141, and Pittakis, *l'ancienne Ath.* p. 44. The inscription in the second volume of the *Revue Archéol.* has reference to dramatic representations, and of the one in Pittakis, the inscription published in C. I. Gr. No. 215, seems to be a fragment badly copied. Also the epigram on the victory of Hipponicus and Acamautis, Simonid. Fr. No. 205, Schneidew. is a very ancient inscription relating to choregi, of the same kind with the above mentioned.

<sup>2</sup> Van Dale, *Diss. ad Marm.* p. 584 sqq. The proofs are furnished by the inscriptions, C. I. Gr. Nos. 267, 268 (in this one only eight are specified; see the note to the same), 270, 272, 276.



appointed to superintend the ephebi,<sup>1</sup> who in the sacred games contended for the prizes; for example, in the race with a torch in the hand.<sup>2</sup> Whether the annual and monthly gymnasiarchs existed at the same time, or in conjunction, or not, may be left undecided. Perhaps it sometimes occurred, that a gymnasiarch appointed for the whole year undertook the monthly gymnasiarchy. What were the regulations in relation to the management and superintendence of the gymnasia, in general, in the more ancient periods, for example, in the times of Pericles and Demosthenes, we are not informed. It cannot be shown, that in the more ancient periods there existed gymnasiarchs, as magistrates, who had the general superintendence of the schools for practising gymnastics, and the care of providing for them. Those who adopt the opposite view must consider as magistrates the gymnasiarchs mentioned in reference to the festival of the Hermæa, in a law soon to be quoted, and must also apply several passages to the support of their hypothesis, which have no necessary reference to an actual magistracy (*ἀρχή*). But whatever may have been the case with respect to this particular, we treat here of the gymnasiarchy so far only as it was a liturgia. It cannot be proved that those gymnasiarchs, who served as liturgi, had the general charge of providing for the schools for practising gymnastics. Ulpian<sup>3</sup> alone asserts, in reference to this particular, that the gymnasiarch was required to furnish the oil in a crater, to be kept full for those who wished to anoint themselves at the public expense. But how easily might one of the authors of that medley of half true or entirely absurd remarks, which bears the name of Ulpian, seize and gen-

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<sup>1</sup> C. I. Gr. No. 274, and in the Add. No. 274, b. An annual gymnasiarch τῷ Ἑρμῇ is mentioned in No. 255. Also in No. 254 an annual one is probably meant. The date in both was probably prior to the times of the emperors. Also the person mentioned as annual gymnasiarch of the Attic cleruchian state, Salamis, in the C. I. Gr. No. 108, must have held that station before the times of the emperors.

<sup>2</sup> An inscription, in which one of the ephebi who had gained the victory in the race with a torch in the hand consecrates a lampas, is contained in C. I. Gr. No. 243. So the victors in the same kind of race, C. I. Gr. No. 244, are to be considered ephebi. Also Lex. Seg. p. 228, 13, ascribes the race with a torch in the hand to ephebi. In C. I. Gr. No. 242, these racers with a torch in the hand are called λαμπαδισταί. Beside these, the game is mentioned also in C. I. Gr. No. 250, 257, 287, which are Attic inscriptions.

<sup>3</sup> On Lept. § 24.

eralize some practice which prevailed only in later times, and perhaps in them only under certain circumstances, or if it had reference to the earlier periods, was for the benefit, at most, of those who practised for the sacred games! Let us, therefore, make a distinction, which has not always been sufficiently recognized, between the ancient liturgic gymnasiarchy and the official gymnasiarchy, which perhaps existed only in the later periods. The first relates to certain services only required for the celebration of certain sacred games.

What then were the duties of *this* gymnasiarch? To furnish the oil, it is said, on the authority of Ulpian. But this is doubtful, since, according to the inscriptions, the oil in many places in Greek antiquity was furnished to the gymnasiarchs, although, indeed, those to whom reference is here made were not exactly liturgi. This was done even in Athens, in the reign of Hadrian,<sup>1</sup> and only individual gymnasiarchs at various times voluntarily furnished the oil. To quote examples of this would be superfluous. Wolf conjectures that they furnished the dust also. But the fact which we know, without being obliged to have recourse to conjecture, namely, that the gymnasiarch was required to support and pay those who practised for the races run at the celebration of the festivals, seems more important.<sup>2</sup> This was no inconsiderable burden, since the competitors required very nutritious food. The duty of supporting these persons being assigned to the gymnasiarch, it was also unquestionably appropriate that he should have a certain power and authority to enforce discipline over them, so long as he was obliged to provide for them. It appears to me, therefore, that we may, without hesitation, apply passages which relate to the exercise

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<sup>1</sup> Tauromenian Inscription, C. I. Gr. No. 5641, 5642; Attic Inscription, No. 355 (this may be cited here, although the use of the oil for the gymnasia is not expressly specified); Salaminian Inscription, No. 108 (comp. the Add. to the same). Krause, in his work entitled *Gymnastik*, und *Agonistik* d. Hellen. Vol. I. p. 186 sqq. gives more information upon this subject.

<sup>2</sup> Treatise on the Athenian State, 1, 13; Xenophon on the Public Revenues, 4, 52. The *liturgia*, in this place and in a passage a little previous, is with sufficient definiteness confined by me to the celebration of the festivals. Others have neglected to do this. I give this fact prominence because it is not generally recognized. Moreover, the stadium was the most ancient game, and it is not to be wondered at, therefore, that, as the examples and the expression *πρῆξις* in the treatise on the Athenian State show, the *liturgia* related only to racing.

of such discipline and to the maintenance of good morals, to the liturgic gymnasiarchy.<sup>1</sup> With the celebration of the game was doubtless connected the adorning for the same of the arena, or course, where the contest took place, together with several other preparatory acts, by which new costs were occasioned.

The lampadarchy, if not the only kind, was certainly the most important and expensive kind of gymnasiarchy.<sup>2</sup> The race on foot with a torch in the hand was a common game. The same kind of race was run with horses for the first time at Athens in the time of Socrates.<sup>3</sup> The art consisted, beside other particulars, in running the fastest, and at the same time not extinguishing the torch. This with links, such as are in use at the present day, can be easily done; but it was a difficult task with the torches made of wax used by the ancients, which were similar to our wax tapers. These were borne, as extant works of art show, fixed upon a candlestick, which was furnished with a guard to protect the hand from the dropping wax. Since the festivity was celebrated at night, the illumination of the place which was the scene of the contest was necessary. Games of this kind were celebrated specially in honor of the gods of light and fire. There were five of them introduced at Athens in the more ancient periods, namely, at the celebration of the Hephæsteia, the Prometheia, the Panathenæa, the Bendideia, and, finally, at the annual games of the god of fire, Pan.<sup>4</sup> The god in whose honor the Hephæsteia were celebrated was worshipped at the celebration of the Apaturia, also, by men splendidly dressed, holding torches in their hands, which they lighted at the sacred hearth, as an expression of gratitude for the use of fire.

<sup>1</sup> For example, in the dialogue *Axiochus*, chap. 8; *Eryxias*, chap. 21, ed. Fischer; law in *Æschin. ag. Timarch.* p. 38; unless all these passages are to be referred to gymnasiarchs as magistrates.

<sup>2</sup> *Aristot. Polit.* V. 7, 11; *Schn.* (8); *Haase*, in the *Hall. Encyclop. der Wiss. und Künste*, Art. *Palästrik*, p. 388 seq. considers it the only kind. See respecting this particular a subsequent part of the present chapter.

<sup>3</sup> *Plato* on a *Rep.* near the commencement. The race with a torch in the hand was called *λαμπάς*, *λαμπαδηδρομία*, *λαμπαδηφορία*, *λαμπαδοῦχος*, *ἀγών*. See respecting it *Meursii Græcia Feriata*; *Castellan. de Fest. Gr.*; *Van Dale ut sup.* p. 504; *Caylus, Rec. d'Antiq.* Vol. I. p. XVII. sqq.; *Schneider* on *Xenoph.* concern. the *Pub. Rev.* p. 170; *Bahr* in the *Hall. Encyclop. d. Wiss. und Künste*, Art. *Fackellauf*; *Haase* in the same, Art. *Palästrik*; *Alex. Herm. Müller's Panathenæica*; *Krause*, *Gymnastik*, und *Agonistik der Hellenen* in various passages; and other authors.

<sup>4</sup> *Herodot.* VI. 105; *Phot.* on the word *λαμπάς*; *Lex. Seg.* p. 228, 11.



The place in which the race was run, at the celebration of the Prometheia, was the outer Ceramicus. It was, perhaps, only at the celebration of the great Panathenæa, and not of the less, that the race was run, because Minerva, as goddess of the arts, was also goddess of fire, and the associate of Vulcan. She was honored at Corinth, also, with the same race.<sup>1</sup> At the celebration of the Bendideia, Diana Bendis appeared as the goddess of the moon.<sup>2</sup> There is no mention of a gymnasiarch for the race with a torch in the hand at the celebration of the Anthesteria until the times of the later emperors.<sup>3</sup>

For these races, at the celebration of all of the five above-men-

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<sup>1</sup> Harpocr. on the word *λαμπάς*; and Valesius on the same article; Suid. on the word *λαμπάδος*; Schol. Aristoph. *Frogs*, 131; and from the same Suid. and Etym. M. on the word *Κεραμεικός*; Lex. Seg. p. 277, and p. 228 on the word *γυμνασίαρχοι*; Phot. on the word *λαμπάδος* and *λαμπάς*; Aristoph. *Frogs*, 1119, and the schol. In regard to the festivity of the race with the torch in the hand in honor of Vulcan, as a Greek custom, see also, Herodot. VIII. 95; respecting the one at the celebration of the Prometheia, see Pausan. I. 30; respecting the one at Corinth in honor of Minerva, see Schol. Pind. *Olymp.* XIII. 56. The same festivity is mentioned as having been celebrated at other places; as, for example (Corinth having been already mentioned in passing), at Byzantium, C. I. Gr. No. 2034 (*λαμπάς ἀνθήβων*); at Ceos, C. I. Gr. No. 2360, 31; at Naples (see C. I. Gr. No. 287); at Syros, at the celebration of the festival of the torch-bearing Ceres (C. I. Gr. No. 2347 c.). Moreover, that this race was run at the celebration of the great Panathenæa, and not of the less, may, it appears, be inferred from the anonymous, but, it is true, not particularly well-informed author of the argument to the speech ag. Mid. p. 510, since he seems to know of no gymnasiarchs but those for the greater festival. I leave the correctness of this limitation undecided: I cannot refute it. From the glosses of the grammarians upon the word *Κεραμεικός*, the contrary, as Herm. Alex. Müller, in his *Panathenæica*, p. 56, asserts, does not follow. Gymnasiarchs for the great Panathenæa are mentioned in two inscriptions soon to be quoted, and the game *λαμπάδι* in a catalogue of the victors in the Panathenæa in the *Archæol. Int. Blatt. der A. L. Z.* 1835, No. 3, and in Wordsworth's *Athens and Attica*, p. 160, and also in another Panathenæic inscription, *Ephem. Archæol.* No. 136. The grammarians generally mention these three festivals, the Hephestæia, the Prometheia, and the Panathenæa (not definitely the great Panathenæa), together, because, as has been conjectured, the races with a torch in the hand in these three festivals were all run in the Ceramicus (Etym. M. on the word *Ceramicus*).

<sup>2</sup> Plato ut sup. The race with a torch in hand mentioned in this passage has, it is true, been referred by some to the lesser Panathenæa, and it is asserted, that the celebration of this festival immediately followed the Bendideia. But Corsini has already shown, that the former festival, as well as the great Panathenæa, was celebrated in the month Hecatombæon, and consequently the race, to which reference is made, could not have taken place at that festival. Comp. Beilage I. *Pryt.* 2. Besides, there cannot be the least doubt, that Plato intends to represent the conversation, narrated by Socrates on the day after the race, to have been held at the time of the celebration of the Bendideia, and consequently that the race was run at this festival.

<sup>3</sup> Inscription in Ross von den Demeu. No. 29.



tioned festivals, as it appears, gymnasiarchs were obliged to provide, although examples are wanting for the two last named. For the purpose of exciting emulation, one was appointed out of every tribe<sup>1</sup> for each festival. Whether there was a gymnasiarchy, as a liturgia, for other games than the race with a torch in the hand, is doubtful. In a certain law<sup>2</sup> there are, it is true, gymnasiarchs mentioned in reference to the festival of the Hermæa, but it is not entirely certain, that they are mentioned as liturgi; and if they were liturgi, the services performed by them could not have been important.<sup>3</sup> The gymnasiarchs can by no means be classed among the inferior liturgi. A cyclic chorus, or chorus of pyrrhichistæ, seems, in general, to have occasioned less expense than the services performed by the gymnasiarch. An inscription of the tribe Pandionis, of a date immediately succeeding the period of the government of the thirty tyrants, mentions the victors in the gymnasiarchy for the celebration of the Prometheia and Hephæsteia together with those who had conquered at the celebration of the Thargelia and Dionysia with a chorus of men or boys. The tribe considered the victors in either of those festivals as deserving of equal honor.<sup>4</sup> Isæus<sup>5</sup> classes the gymnasiarchy for the race with a torch in the hand with the trierarchy, the payment of the property-tax in the class of the three hundred, and the choregia for tragedy. Aristotle classes it among the most expensive and useless of the public services. Alcibiades and Nicias, who were distinguished for their large expenditures upon liturgiæ, performed the services

<sup>1</sup> Argument to the speech ag. Mid. as above cited.

<sup>2</sup> Æschines ag. Timarch. p. 38. In the inscription of the Attic cleruchian state on the island of Salamis, C. I. Gr. No. 108, an annual gymnasiarch is mentioned, elected by cheirotonia, who provided for the celebration of the Hermæa also. But he cannot be considered as a liturgus. An annual gymnasiarch of the Athenians for Hermes has been mentioned above from C. I. Gr. No. 325, as it seems, of the period before the establishment of the imperial government. In the times of the emperors, beside the twelve ordinary gymnasiarchs, there are mentioned, also, other twelve for Hermes, C. I. Gr. No. 270, II. 22 sqq. Undoubtedly, these were for the boys.

<sup>3</sup> The Lex. Seg. p. 228, defines *γυμνασίαρχοι* to be *οἱ ἄρχοντες τῶν λαμπαδοδρομῶν* in honor of Prometheus, Vulcan, and Pan, as if they were the only ones.

<sup>4</sup> C. I. Gr. No. 213.

<sup>5</sup> Isæus concern. the Estate of Philoctem. p. 154, where the expression is, *γυμνασι-  
αρχεῖν λαμπάδι*. Comp. with this Xenoph. on the Pub. Rev. ut sup. *ἐν ταῖς λαμπάσι  
γυμνασιαρχοῦμενοι*.

appertaining to the gymnasiarchy.<sup>1</sup> The person represented as the speaker in Isæus concerning the estate of Apollodorus boasts of his honorable performance of the same services for the celebration of the Hephæsteia.<sup>2</sup> According to Lysias,<sup>3</sup> the expenses of a gymnasiarchia for the celebration of the Prometheia, in which the gymnasiarch gained the victory, cost twelve hundred drachmas.

The gymnasiarchs, also, who had conquered, consecrated, like the choregi, memorials of their victories. An inscription from a memorial of that kind relates to a victory gained by the tribe Acamantis in the race with a torch in the hand at the celebration of the great Panathenæa, in Olymp. 108, 3 (B. C. 346).<sup>4</sup> There is extant another inscription from a memorial, which was consecrated by a person who had been gymnasiarch of the tribe Cecropis for the celebration of the great Panathenæa in Olymp. 110, 3 (B. C. 338), after his tribe had crowned him with a garland.<sup>5</sup> Probably he, also, had conquered. Similar to this is the inscription on a votive offering of the persons who had been gymnasiarchs for the lampadephoria at the celebration of the Anthesteria. The date of the offering is one of the later periods of the Empire.<sup>6</sup>

The expenses of the feasting of the tribes (*ἐστιάσεις*) were borne by a person selected for this purpose (*ἐστιάτωρ*) from the tribe. If we believe Harpocraton,<sup>7</sup> a person was designated for this purpose by lot, when no person volunteered to perform this ser-

<sup>1</sup> Isocr. *περὶ τοῦ ζεύγ.* 15; Plutarch, in the comparison of Nicias with Crassus, Chap. 1.

<sup>2</sup> Isæus, p. 184, near the top. Andocides, on the Myst. p. 65, also mentions the gymnasiarchy for the Hephæsteia, as one who had performed its duties, together with the architheoria to the Isthmus, and to Olympia. A victory of Andocides in a lampadephoria, in the performance of the duties of a gymnasiarchy, therefore, is mentioned in the speech ag. Alcib. p. 133. Another victory was obtained by the same person in an *ἐβανδρία* at the celebration of the Panathenæa (ag. Alcib. as above cited); another with a chorus of boys at the celebration of the Dionysia (C. I. Gr. No. 213); and also a victory, probably different from the last mentioned, with a Dithyrambus or cyclic chorus (Lives of the Ten Orators, p. 229).

<sup>3</sup> See Chap. 22 of the present Book.

<sup>4</sup> See Beilage XXI.

<sup>5</sup> C. I. Gr. No. 251.

<sup>6</sup> In Ross as above cited.

Harpocr. on the word *ἐστιάτωρ*.

vice. This is asserted by him to be evident from the speech of Demosthenes against Midias. But in that speech nothing of the kind is found. It appears to me to be a false inference from what is said in that speech concerning the appointing of the choregi, the voluntary choregia of Demosthenes, and the order determined by lot in relation to the choice of the teacher of the chorus.<sup>1</sup> The entertainers of the tribes were doubtless, like other liturgi, appointed according to their property, and in an order of succession unknown to us,<sup>2</sup> since such a burden could not be imposed upon a person by lot. The entertainments, the expenses of which were defrayed by means of this liturgia, were different from the great feastings of the people, the expenses of which were paid from the treasury of the theoricæ. They were merely entertainments at the festivals of the tribes (*φυλετικὰ δεῖπνα*),<sup>3</sup> introduced for sacred objects, and for the maintenance of a friendly intercourse among the citizens belonging to the same tribe, and they were appropriate to the spirit of a democracy.<sup>4</sup> No delicacies were probably provided, but meat only, as may be inferred from Pollux,<sup>5</sup> and from the analogy of similar feasts. If we reckon that there were at one of these feasts two thousand guests, and the cost of entertaining each at two oboli, which is probably rather too little than too much, we may estimate the cost of feasting a tribe at nearly seven hundred drachmas.

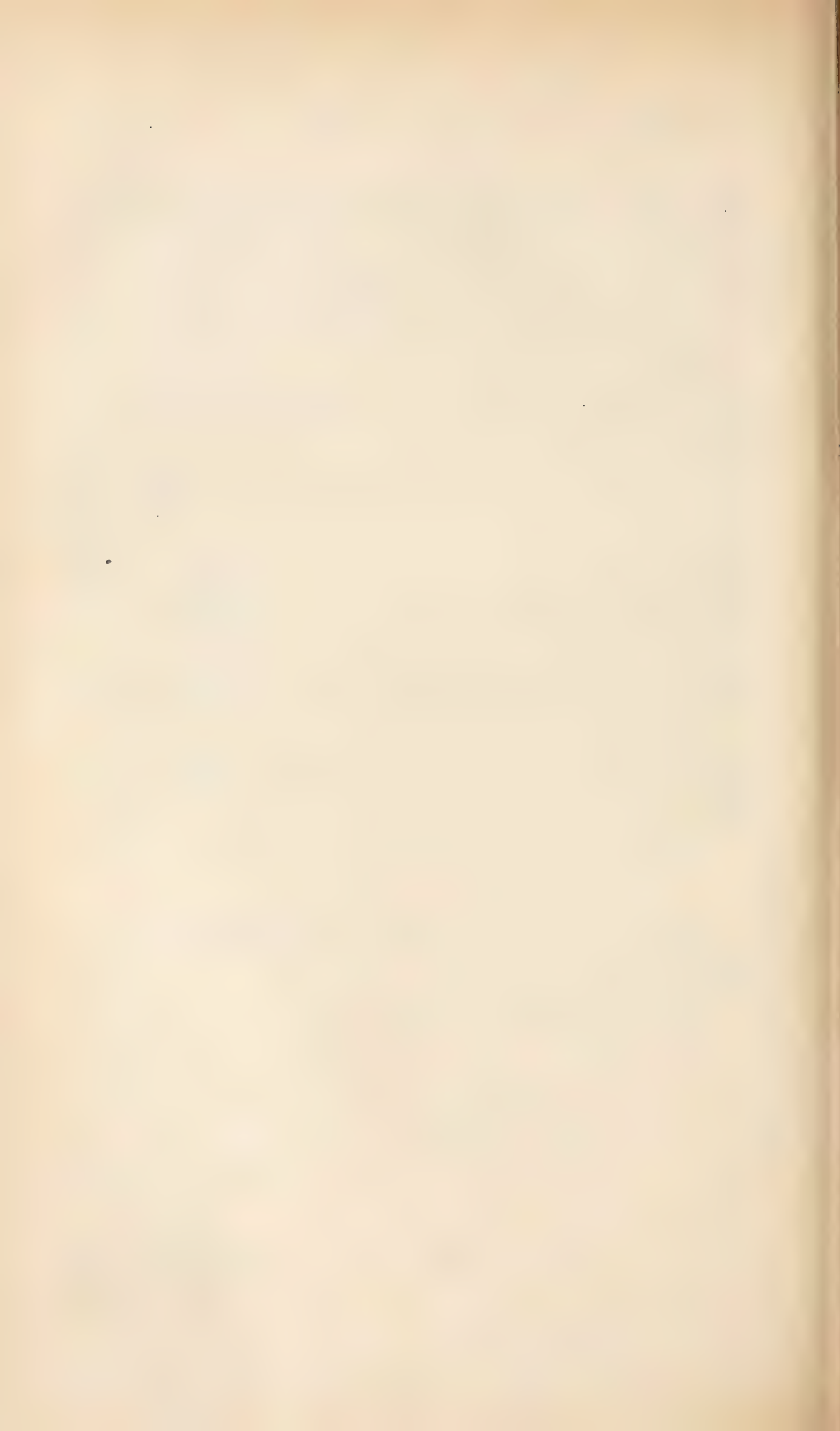
<sup>1</sup> Demosth. ag. Mid. p. 518, 519.

<sup>2</sup> This is what is meant by the phrase *φέρειν ἐστιάτορα*, Demosth. ag. Bæot. concern. his Name, p. 996, 24. The entertaining itself is expressed by the phrase *ἐστιάειν τὴν φυλὴν*, Demosth. ag. Mid. p. 565, 10.

<sup>3</sup> Athen. V. p. 185, C.

<sup>4</sup> Comp. Herald. as above cited, II. 1, 12.

<sup>5</sup> III. 67.





## B O O K I V.

OF THE EXTRAORDINARY REVENUES OF THE ATHE-  
NIAN STATE, AND OF CERTAIN SPECIAL FINANCIAL  
MEASURES OF THE GREEKS.



## BOOK IV.

OF THE EXTRAORDINARY REVENUES OF THE ATHENIAN STATE,  
AND OF CERTAIN SPECIAL FINANCIAL MEASURES OF THE  
GREEKS.

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### CHAPTER I.

OF THE TOPICS TREATED IN THIS BOOK. OF THE PROPERTY TAX  
IN GENERAL.

THE extraordinary revenues of the Athenian State, to the consideration of which we give our attention in the sequel, were either determined for every case, which might occur, by law or custom, or were raised by arbitrary measures, unauthorized by the political constitution, for the purpose of relieving the pecuniary embarrassments of the state.

There were two kinds of the former, namely, a fixed and indeed direct tax, and the *liturgiæ*. An acquaintance with both of them presupposes the ascertainment of the amount of the property of the Athenian people, and of the valuation of Attica. Unless these latter particulars be ascertained, every investigation of the former subjects would be insufficient, indistinct, and fruitless. But the task is attended with no small difficulties, since the accounts transmitted to us are so few, so imperfect, and so indefinite.

This investigation may most appropriately be made at the same time with that of the *property tax* (*εἰςφορὰ*), with which the determination of the amount of the property of the Athenian people stands in the closest connection. For it was thought that the great exigencies, occasioned by war, could not be supplied in any better manner than by property taxes. But from

this very circumstance it may be inferred, that these taxes were not imposed in the most ancient periods of the state. Before the Peloponnesian war Athens had no occasion to raise frequent and considerable taxes of this kind. The citizens served for a long time gratuitously. The ships were equipped by means of the trierarchy. The exercise of the art of besieging cities occasioned but little expense, because it was simple. Subsequently, when pay had been introduced, and the wars occasioned a larger expenditure, the same was defrayed from the tributes. It may therefore be doubted, whether, before the period designated, any direct tax had been raised in Athens. If any had been imposed, it must have been under the name of a tax according to the assessment (*τέλος*). But in relation to this particular we are almost wholly uninformed, although such a tax may have been sometimes raised; for all the arrangements for that purpose existed, and the inquiry concerning the services due according to the assessment was customary. But of this more in the subsequent chapters.<sup>1</sup> It is certain, that the first extraordinary property tax (*ἐκφορά*), noticed in history, amounting to two hundred talents, was occasioned by the siege of Mytilene in Olymp. 81, 1 (B. C. 456). This is expressly testified by Thucydides.<sup>2</sup> He does not mean merely the first property tax levied in the Peloponnesian war, but the first absolutely. For such is the accuracy of his narration, that if the former had been his meaning, he would have more clearly indicated it. Since, however, it cannot be denied, that direct taxes of this kind had been raised even before the period above mentioned, the correctness of Thucydides can be vindicated only by supposing that these taxes, probably raised in an earlier period under a different name, had become in his time antiquated, and forgotten; but that after the period, when the Athenians began to collect a tribute from

<sup>1</sup> Book IV. 5 and 6.

<sup>2</sup> III. 19. Προσδέσμενοι δὲ οἱ Ἀθηναῖοι χρημάτων ἐς τὴν πολιορκίαν, καὶ αὐτοὶ ἐξενεγκόντες τότε πρῶτον ἐκφορὰν διακόσια τάλαντα, ἐξέπεμψαν καὶ ἐπὶ τοὺς συμμάχους ἀργυρολόγους ναῖς δέκα κ. τ. λ. The emphasis, by virtue of the collocation of the words is upon *ἐκφορὰν*, and the meaning of the sentence, therefore, cannot be, that at that date they had for the first time raised two hundred talents as *ἐκφορὰ*, but on previous occasions a less amount. The limitation, which I have made in the subsequent context, to the period after the introduction of the tributes, I have since found also made by Nissen, *Zeitschrift f. Alt. Wiss.* 1838, No. 90, and by Meier in the *Encyclop. d. Wiss. und Künste Art. Eispheora*. But when the former thinks he finds this limitation indicated by the word *αὐτοὶ*, I shall have to dispute the correctness of his opinion.



the allies, they were no longer imposed. This would also be perfectly natural; just as the Roman tributum after the subjection of Macedonia was abolished.

After the property tax had been once introduced, it seems to have been repeatedly imposed in quick succession. For Aristophanes<sup>1</sup> as early as Olymp. 88, 4 (B. C. 425), speaks of its imposition as of an ordinary occurrence. But for other purposes than that of carrying on war a property tax could hardly have been imposed at Athens; unless in case the funds appropriated to the administration of the government had been already expended for the purposes of war, and were to be replaced by means of a property tax; or in order to repay loans, as was the case after the rule of the thirty tyrants; or in order to complete important public works. For example, from the archonship of Themistocles to the archonship of Cephisodorus, Olymp. 108, 2 to 114, 2 (B. C. 347 to 323) an annual property tax, amounting to ten talents, was raised for building the arsenal and the houses to cover the ships.<sup>2</sup> But this also was properly an expenditure for the material required for carrying on war. In other democracies property taxes were levied even for the purpose of paying the compensation of the public officers and servants in time of peace.<sup>3</sup>

In accordance with the above-mentioned object the generals had the charge of collecting and managing these taxes, after the details of them had been arranged by a decree of the people, and they presided over the court, which decided the disputes relating to them.<sup>4</sup> For example, when a person was assessed too high a sum, which occurred, especially from malice and hatred, at an early date, his assessment was regulated in a court, over which the generals presided.<sup>5</sup>

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<sup>1</sup> Knights, 922. Also in Antiphon Tetral. A.  $\beta$  towards the end mention is made of the payment of many and heavy *εἰσφοραὶ*. An *εἰσφορὰ ἀπὸ τοῦ τιμήματος* for the war prior to the archonship of Euclid, is mentioned in a fragment of a decree published by Rangabé in the Antt. Hellen. No. 268. Ephem. Archäol. No. 158.

<sup>2</sup> Inscript. in the Ephem. Archäol. No. 350. Curtius de portub. Ath. p. 47. Concerning the building of the arsenal see the "Seeurkunden," p. 69 sqq. That the tax was paid for a somewhat longer period, than was required for completing the main building of the *σκευοθήκη*, may be easily explained, without my saying any thing about it.

<sup>3</sup> Aristot. Polit. VI. 3, 3. Schn. (5).

<sup>4</sup> Wolf, Prolegg. in Lept. p. XCIV.

<sup>5</sup> Aristoph. as above cited.

Moreover, no exemption from the payment of the property tax was allowed to a citizen. But an instance<sup>1</sup> occurs in which it was granted to some aliens under the protection of the state. It may, however, have been allowed to them rather as foreigners. According to Demosthenes, neither the new nor the old laws allowed such exemption, not even to the descendants of Harmodius and Aristogeiton.<sup>2</sup> The pretended exemption of merchants cannot be admitted.<sup>3</sup> Orphans were, it is true, exempted from the performance of the *liturgiæ*, but not from the payment of the property taxes.<sup>4</sup> Demosthenes paid them as an orphan, and if it had been done voluntarily, (which of itself is inconceivable,) he would not have failed, when he boasted of his hegemonia in a class of tax payers during his minority,<sup>5</sup> to have made prominent mention of that circumstance. Even the trierarchs were obliged to pay this tax,<sup>6</sup> and the only exemption in relation to it allowed them by law was a release from the obligation of advancing to the less wealthy the requisite sums.<sup>7</sup> With stronger reason, then, were other wealthy persons, if they were not liable to the performance of the services of the trierarchy, subject to the payment of the property tax. So that all persons, who were under the obligation to perform *liturgiæ*, were required to pay the property tax, even although they were not liable to the performance of the services of the trierarchy.<sup>8</sup> Indeed every person, who was not completely indigent, was required from the nature of the case, even if he was not in a condition to perform *liturgiæ*, to pay the property tax.

<sup>1</sup> See below, Chap. 10.

<sup>2</sup> Demosth. ag. Lept. § 15 (p. 462, 15); § 22 (p. 465, 1).

<sup>3</sup> See Book I. 15, of the present work.

<sup>4</sup> Comp. Herald. Anim. VI. 1, 7.

<sup>5</sup> Ag. Mid. p. 565. Another example of a property tax, paid for orphans, is furnished by Isæus in Dionys. Is. p. 108, 5, according to the sound explanation of Reiske. Or. Græc. Vol. VII. p. 331.

<sup>6</sup> Xenoph. Œcon. 2, 6; Lysias, ἀπολ. δωροδ. p. 698 sqq.; for the property of Aristophan. p. 633; Demosth. ag. Lept. § 24 (p. 465, 25).

<sup>7</sup> See Book III. 21, of the present work.

<sup>8</sup> Demosth. ag. Lept. as last cited.

## CHAPTER II.

## OF THE SOURCES OF WEALTH IN ATTICA, AND OF THE CARE OF THE STATE TO PROMOTE THE PROSPERITY OF THE PEOPLE.

THE amount which the state took from the property of the individual, the sum which could be raised, when a definite portion of the same was required, and the principles according to which the taxation was made, cannot, without a knowledge of the amount of property possessed by the people, be clearly determined.

In the first place let us inquire if that care for the increase of the property of the people, which at the present day governments, whether successfully or not, have manifested, was an object of consideration to the government of Athens, and what sources of wealth Attica possessed. In order at least to touch upon these subjects, I remark as follows.

Nowhere can the importance of the prosperity of the citizens be more evident, than in a state, where the form of government is a democracy. For where that form of government exists, not only from the pressure of poverty when it prevails among the people, many commotions and acts of violence are to be feared, or, through the necessity of maintaining the poor, a great burden falls upon the community, but also when impoverishment gains ground, the possibility of performing the public services is endangered. In the performance of these services, the wealth of the citizens benefited the Athenian State more directly, than would have been possible under any other form of government. "The voluntary contributions of property in the performance of the public services," says the person represented as the speaker in a speech of Lysias,<sup>1</sup> "are to be considered the surest revenue of the state. If, therefore, you will follow good counsel, you will take no less care of our property than of your own. For you are well aware, that you will be able to use all which belongs to us. I believe that you all know that I am a better manager of my own property, than those who

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<sup>1</sup> Lys. *απολ. δωροδ.* p. 704.

manage the property of the state would be. If you make me poor, you will at the same time injure yourselves, and others will devour this property of mine also, as they have already devoured property belonging to other persons." The correctness of this remark, that every one is the best manager of his own property, seems to have been evident to the Athenians, and with the exception of Sparta, to the other states of ancient Greece. It was the general opinion, that every one would take care of himself, and that the application of artificial means in aid of individual efforts was not necessary.

But, on the other hand, no measures were adopted, in the more incorrupt periods of the Athenian State, which might impede the general welfare; except that the *liturgiæ*, when they were improperly distributed, produced injurious effects. The taxes were hardly ever levied except in time of war, the customs and excise duties were of small amount. Attica derived her prosperity from agriculture, and the breeding of cattle, from the exercise of the mechanical arts, and from trade and commerce. For the promotion of trade and commerce all those measures were adopted, which were considered conducive to that effect. Retail trade or shopkeeping was not indeed considered an honorable employment, but legally it could disgrace no one.<sup>1</sup> Agriculture was in estimation, and particular branches of it, as the cultivation of olives, for example, were protected by law. Mining flourished, as far as circumstances permitted. The breeding of cattle was not burdened with taxes, as in states under despotic rule. There was no obstacle in Athens to the exercise of the mechanic arts;<sup>2</sup> although manual labor in those arts was thought to degrade a citizen. In few states did they flourish more than in Athens. According to very ancient laws, vagabonds, having no means of honest livelihood, were not endured. Every one was required to show what were his means of subsistence.<sup>3</sup> Against the poor who lived in idleness the action for slothfulness (*δίκη ἀργίας*) could be brought.<sup>4</sup> Even idle slaves (*ἀργοὶ οἰκέται*)

<sup>1</sup> Petit, Leg. Att. V. 6, 5.

<sup>2</sup> Comp. Book I. 9, of the present work.

<sup>3</sup> Herodot. II. 177; Diodor. I. 77.

<sup>4</sup> Comp. Petit, V. 6, 1; Meier, Att. Prozess, p. 299; and also Dionysius of Halic. in the lately discovered extracts of the Rom. Antiq. XX. 2; Plutarch, Apophth. Lac. p. 207, (Tüb. ed. Vol. VIII.); Lex. Rhet. in the Engl. ed. of Photius, p. X. of Meier's ed. with his note



could not, according to law, be kept.<sup>1</sup> Parents were bound to have their children taught some branch of business, or, if they neglected that duty, they could have no claim to be supported by them in old age.<sup>2</sup> Unfortunately, these laws, as is usual, in the increasing development and growth of the state, were no longer executed, and through wars and attendance upon the courts many hands were withdrawn from labor. The compensation for attending the assemblies of the people, for sitting in the courts, for serving in the army and navy, was considered in the same light, as the profit derived from an ordinary branch of business, and the payment of the same seemed the less disadvantageous to the state, because the expenditure was for a long time defrayed mainly from the property of foreign countries.

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### CHAPTER III.

INDIVIDUAL EXAMPLES OF THE PROPERTY OF ATHENIAN CITIZENS,  
AND OF THE DISTRIBUTION OF THE WEALTH OF THE PEOPLE  
AMONG THE MASS OF THE CITIZENS.

IN order to form an idea of the wealth of the Athenian people, it is in the first place necessary to collect, and so to arrange examples of the property possessed by individuals, that it may be manifest what was probably considered, particularly in relation to the period from the age of Pericles to that of Alexander, a small fortune, and what a moderate or large estate. And this is requisite for that purpose, even although from the nature of the case, the accuracy of the examples cannot be completely warranted. Previously to this period, the existing wealth, estimated according to its value in silver, was of course of a much smaller amount.

The Alcmaeonidæ were from the earliest times a distinguished and wealthy family at Athens, but it was especially rendered

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<sup>1</sup> Petit, II. 6, 12.

<sup>2</sup> Petit, II. 4, 13, 16.

prominent in the age of Solon by Alemæon the son of Megacles. He had the good fortune to receive from Cræsus a present of as much gold as he could carry away at once, and afterwards as much more.<sup>1</sup> This present may have amounted to about five talents of gold, equivalent, at the most, to seventy talents of silver. The property which he previously possessed did not probably amount to a third or a fourth part of this sum. But if with this fortune he may at that time have far surpassed all his fellow citizens in wealth, yet at a later date this would have no longer been the case.

On the other hand, we find many accounts of the possession of but a small estate even in the age just designated. How many possessed less than a talent, indeed even less than ten minas. Of this I quote no examples, for poverty is everywhere and at all times a common condition of life. He who possessed a talent could, it is true, live upon it in such a manner, that he could not be ranked exactly among the needy, but yet a property of this amount was always considered a small estate. Families possessed of one or two talents (*οἴκοι ταλαντιαῖοι, διτάλαντοι*), which were numerous, did not perform, therefore, any liturgiæ.<sup>2</sup> Families possessed of three, four, or five talents, are frequently mentioned. For example, Æschines the orator received an inheritance of five talents, and acquired an addition to it by his own exertions. This addition amounted, according to Demosthenes, to two talents, which were presented to him by the leaders of the *symmoriæ*.<sup>3</sup> Isæus furnishes an example of a person possessing an estate of nearly four talents.<sup>4</sup> The person represented as speaker in the speech to which reference is made, states that he had a piece of landed property in Oenoë worth fifty minas, one in Prospalta worth thirty minas, a house in the city worth twenty minas, and the estate of Hagnias worth two talents, together three talents and forty minas. Stratocles and his brother,

<sup>1</sup> Herodot. VI. 125.

<sup>2</sup> Book III. 21, of the present work.

<sup>3</sup> Demosth. on the Crown, p. 329, 15.

<sup>4</sup> On the Estate of Hagn. p. 294, according to the reading of Bekker, derived from manuscripts, Oxf. ed. p. 159. The property of the person represented as the speaker is said to have been about 110 minas less than that of Stratocles. But the property of Stratocles amounted to 330 minas; consequently, the property of the former must have amounted to 220 minas. And that is its amount, according to the new reading, which without the aid of the manuscripts could not have been ascertained.

according to Isæus,<sup>1</sup> received from their father an estate barely sufficient for their maintenance; consequently they could not perform any *liturgiæ* from the estate. But Stratocles by the adoption of his daughter obtained possession of a property of the value of more than two and a half talents, and gained from it during his nine years' possession of it  $5\frac{1}{2}$  talents. This addition consisted partly of money at interest, of the products of land, and of cattle, partly of landed property, and of utensils, implements, and furniture. This last-mentioned sum, added to the amount of the property of his daughter, makes eight talents. The property of Critobulus was estimated by Xenophon<sup>2</sup> at five hundred minas ( $8\frac{1}{3}$  talents), and over. He was considered a wealthy man. Timocrates possessed more than ten talents;<sup>3</sup> Dicæogenes an annual income of eighty minas.<sup>4</sup> This income supposes a property of about eleven talents, and was considered quite large.

Diodotus, a merchant in moderate circumstances, possessed, as is stated by Lysias,<sup>5</sup> five talents of silver, which he paid in ready money to the person whom he had appointed to be the guardian of his children. He had also  $7\frac{2}{3}$  talents loaned on maritime interest, and one or two thousand drachmas in the Chersonesus, and bequeathed besides to his wife two thousand drachmas and thirty Cyzicene staters. To this is to be still added utensils, implements, and furniture, and perhaps landed property in the Chersonesus, from which his family annually received grain. The whole together amounts to at least fourteen talents.

The father of Demosthenes left at his death fourteen talents; his mother had a dowry of fifty minas. So that the property of the son was assessed, in the assessment registers, at fifteen talents.<sup>6</sup> Under it were comprised the following articles of property left by his father: two workshops with thirty sword-cutlers

<sup>1</sup> The same, p. 292 sqq. Comp. Book I. 20, of the present work.

<sup>2</sup> *Œcon.* 2.

<sup>3</sup> Demosth. ag. Onetor, I. p. 866, near the bottom.

<sup>4</sup> Isæus on the Est. of Dicæog. p. 110.

<sup>5</sup> Ag. Diogeiton, p. 894 sqq. In relation to the item in the Chersonesus there is a double reading extant, *χιλίας* and *δισχιλίας*. The latter on account of the passage on p. 902 has been preferred.

<sup>6</sup> Demosth. ag. Aphob. 814, 815.

and twenty chair makers, a talent loaned out at twelve per cent., together estimated at four talents and fifty minas, the annual profit from the same being fifty minas; nearly eighty minas' worth of ivory, iron, and timber; seventy minas' worth of varnish and bronze; a house worth thirty minas; utensils, implements, and furniture, drinking vessels, gold, clothing, ornaments belonging to his mother, together worth a hundred minas; eighty minas in ready money; seventy minas loaned out upon maritime interest; 106 minas loaned out in other ways; altogether nearly fourteen talents. And, beside these articles, there were some female slaves not included in the above enumeration.<sup>1</sup>

Phænippus<sup>2</sup> possessed a piece of landed property in Cytheron,<sup>3</sup> near the confines of Attica, of at least forty stadia in circumference. Its annual produce was more than a thousand medimni of barley, and eight hundred metretæ of wine. From this produce in dear times, when barley was sold at eighteen drachmas the medimnus, and wine at twelve drachmas the metretes, he received an income of 27,600 drachmas. If we reckon only the fourth part of the above sums as the common prices, (although the orator assumes the third part) he received from this produce a regular income of seven thousand drachmas. Beside this he annually sold wood from the same piece of land to the value of about forty minas. He had, therefore, an annual income of about 110 minas. Hence this piece of property, according to the usual rate of interest of twelve per cent., may be estimated to have been worth at least fifteen talents.

But this estimation of the value of the land is very low, and much lower than the average assumed in a previous part of this work.<sup>4</sup> The person who possessed property to this amount might, even at that period, be deemed a man of considerable wealth, because the rate of interest was so high, and the prices of commodities were so low. Many Athenians, however, were far wealthier than Phænippus. Onetor possessed, according to

<sup>1</sup> Page 828, 2.

<sup>2</sup> See the speech ag. Phænippus, p. 1040, and Reiske on the same.

<sup>3</sup> By Leake in his *Top. of Ath.* Vol. II. p. 16 and 24, London, 1841, and in Smith's *Dic. of Gr. and Rom. Geog.*, and by other authors this district, or deme, is called Cytherus. — (Tr.)

<sup>4</sup> Comp. Book I. 12 and 15.



Demosthenes,<sup>1</sup> more than thirty talents. Ergocles is said to have acquired the same sum by embezzlement.<sup>2</sup> The property of Isocrates cannot have been less. He had about a hundred scholars, and received from each ten minas; from Timotheus a talent; from Evagoras twenty talents.<sup>3</sup> Conon left at his death about forty talents. Of this sum he bequeathed five thousand staters (about one hundred thousand drachmas) to Minerva and to the Delphian Apollo, ten thousand drachmas to a relation, and three talents to his brother. There remained seventeen talents for his son Timotheus.<sup>4</sup> But perhaps in this statement only the ready money is meant; for the family seems, even from the earliest periods, to have possessed much landed property.<sup>5</sup> Stephanus, the son of Thallus, was considered to be worth more than fifty talents. He left, however, at his death only eleven talents;<sup>6</sup> probably because, by a dissolute manner of life, he had dissipated a large part of his fortune. So Ischomachus in his lifetime was estimated to be worth more than seventy talents, and yet after his death each of his two sons received only ten talents.<sup>7</sup> But flatterers and parasites had consumed his property,<sup>8</sup> so that we cannot think it strange, that he left, at his death, less than he was reputed to possess, but only that Xenophon<sup>9</sup> should cite this man, if indeed the same person is meant, as a model of domestic economy.

The property of the celebrated banker Pasion, a naturalized foreigner, was of the same amount. He possessed landed property to the value of twenty talents. In this was included a shield shop, together with the slaves pertaining to it, which produced an annual profit of a talent. Beside this he possessed fifty talents of money of his own, and in addition to this eleven talents of money belonging to other persons, both which sums

<sup>1</sup> Ag. Onetor, p. 867, 1.

<sup>2</sup> Lysias ag. Philocr. p. 828.

<sup>3</sup> Lives of the Ten Orators.

<sup>4</sup> Lysias for the Property of Aristoph.

<sup>5</sup> Plutarch, Solon, 15.

<sup>6</sup> Lysias, as above cited, p. 648.

<sup>7</sup> Lysias, the same, p. 647.

<sup>8</sup> Heraclides in Athen. XII. p. 537 D.

<sup>9</sup> Econ. 6 sqq.

were loaned out on interest.<sup>1</sup> His houses alone yielded an annual rent of thirty minas, his banker's and exchange office an annual profit of a hundred minas. His son, Apollodorus, inherited the half of his property. Apollodorus made many sacrifices, for himself and his brother to the state, and was also very extravagant in his living.<sup>2</sup> Although, therefore, he received more than forty talents in twenty years, it was perfectly natural, that at last when he was required to pay a large fine, he should be found to possess only three talents,<sup>3</sup> especially since, as we see from the works of Demosthenes, he was engaged in many lawsuits.

Among the wealthiest families I mention first, the house of Nicias. Nicias, the son of Niceratus, of the district Cydantidæ, the unfortunate general, was distinguished for his great wealth.<sup>4</sup> From it he made large expenditures for the service of the state, and for the worship of the gods. He is the person whom Athenæus calls, emphatically, the rich man of the Greeks. He is the man whose property in slaves and mines was so considerable, that, according to Xenophon, he had in his mines a thousand slaves.<sup>5</sup> That he was the person to whom Xenophon refers needs no proof; for it is evident from the context, that Xenophon is speaking of a person who lived in the age of Socrates. But his whole property, consisting chiefly of movables, was estimated at one hundred talents.<sup>6</sup> His son Niceratus was called the first among the Athenians in consideration and wealth. He perished during the rule of the thirty tyrants; for his great wealth induced them to put him to death (Olymp. 94, 1 B. C.

<sup>1</sup> Demosth. for Phorm. p. 945, 946. Ἐν οὖν τοῖς πενήκοντα ταλάντοις. Great difficulty is occasioned in this passage by this phrase, and the commentators have thought proper to leave it untouched. According to the sense, it must mean, that, together with his own fifty talents, he had also lent eleven talents belonging to others. That admirable scholar Heraldis (II. 5, 13 sqq.) proposes, therefore, to read σὺν οἷν. But perhaps *ἐν* may be retained in the following sense; among the fifty talents of his own, between them, as it were intermingled with them.

<sup>2</sup> Demosth. ut sup., p. 956 sqq.

<sup>3</sup> Speech ag. Neæra, p. 1354, 16.

<sup>4</sup> Thucyd. VII. 86.

<sup>5</sup> Athen. VI. p. 272, E; Xenoph. Mem. Socr. II. 5, 2; on the Pub. Rev. 4, 14; Plutarch, Nic. 4. Comp. Book I. 13 of the present work.

<sup>6</sup> Lysias for the Prop. of Aristoph. p. 648.

413).<sup>1</sup> At his death he asserted, that he left behind him neither gold nor silver. His son Nicias, however, received fourteen talents in real estate and other property.<sup>2</sup> The son of the latter was the Niceratus who is mentioned by Demosthenes<sup>3</sup> and in the documents relating to the Athenian marine, and who had no children. The fact of his performing in his turn the duties appertaining to the trierarchy, shows that he possessed considerable property.

Still more distinguished for their nobility and wealth was the family of Hipponicus and Callias, who derived their extraction from Triptolemus, and who enjoyed the dignity, which was hereditary in their family, of torchbearer in the Eleusinian mysteries.<sup>4</sup> The first of this family, who became generally known, and whom we will at all events call the first of the family, was that Hipponicus, who, a short time previously to the improve-

<sup>1</sup> Diodor. XIV. 5. Comp. Xenoph. Hellen. II. 3, 18; Lysias ag. Poliuch. p. 602; Plutarch, Es. Carn. II. 4.

<sup>2</sup> Lysias for the Property of Aristoph. ut sup. This speech was composed in Olymp. 98 (B. C. 388). This must be observed in order to avoid confounding the different persons belonging to this family.

<sup>3</sup> Ag. Mid. p. 567, 24, and frequently elsewhere. For further information respecting him and the whole family, see the *Seeurkunden*, p. 247. Nicias of Pergase, the spendthrift, (Athen. XII. p. 537, C.; Ælian, V. H. IV. 23,) as is shown by the difference of the district with which he was connected, did not belong to this family. The persons belonging to the family of the celebrated Nicias could not with certainty be distinguished from others, until it was ascertained, that this family belonged to the district Cydantidæ (see the *Seeurkunden*, p. 246 seq., and the further confirmations of the same fact which I have noted in *Beilage II. A. 13*). Of the previous learned authors who have incidentally mentioned this family, Ste. Croix (*Mem. de l'Acad. des Inscript.* Vol. XLVIII. p. 165, 172) has given the most confused account of it. For with incredible carelessness he refers the passages of Xenophon and Athenæus concerning Nicias the general who was put to death in Sicily, to his grandson Nicias, and asserts concerning this latter person, that he was childless, citing the passage of Demosthenes ag. Mid. in which the great-grandson of the general is said to have been childless. Markland (on Lysias for the Property of Aristoph.) mistakes the childless Niceratus for the one who was put to death in Olymp. 94, 1 (B. C. 404), and thus involves himself in inextricable difficulties. He attempts to relieve himself by an absurd emendation: but the fact is that the latter of these persons was the grandfather of the former. The elder one died in Olymp. 94, 1 (B. C. 404), and was by no means childless. The younger one was still living at the time of the lawsuit against Midias, and much later. Even Spalding (on Mid.), and Reiske (*Hist. Ind. to Demosth.*) have confounded these two persons.

<sup>4</sup> Xenoph. Hell. VI. 3, 2; Andoc. on the Myst. p. 57 sqq.; and elsewhere in the account of Callias the second. Compare, in relation to the transmission of this dignity from father to son in particular families, especially, C. I. Gr. No. 385.

ments introduced into the political constitution by Solon (Olymp. 46, B. C. 596), is said to have purchased a large quantity of land with borrowed money.<sup>1</sup> It may possibly be, however, that the envy of his countrymen invented this report in order to impute to him dishonesty in the acquisition of his wealth; a charge which is therein intimated. His brother Phæniippus was probably the father of the first Callias. This Callias possessed a large estate. He bought the property of Pisistratus as often as the latter was expelled from Athens.<sup>2</sup> He expended large sums upon the breeding of horses, and was victor in the Olympic games. He presented his daughters with large dowries, and allowed all three of them the privilege of selecting whom they pleased among the Athenians for their spouses. His son Hipponicus the second, surnamed Ammon, is said to have become still wealthier than his father by the acquisition of the treasures of a Persian general. Diomnestus, the Eretrian, had obtained possession of these treasures at the time of the first invasion of Greece by the Persians (Olymp. 72, 3, B. C. 490), and upon the second invasion he had committed them to the custody of Hipponicus. The latter, since all the Eretrians were taken prisoners and conveyed to Asia, was unable to restore the treasures.<sup>3</sup> This narrative deserves belief, since even the name of the Eretrian is given. The son of this Hipponicus was Callias the second, the torchbearer. He was called, on account of his great wealth, Laccoplutus, and was considered the richest of the Athenians.<sup>4</sup> His property was assessed at two hundred talents.<sup>5</sup> He was ambassador to the Persian court, and on a charge of having received bribes during his embassy, was condemned to pay to the state a fine of fifty talents.<sup>6</sup> The story, that at the battle of Marathon, in which he certainly fought, he was shown by a Persian a treasure lying in a pit, that he took possession of the

<sup>1</sup> Plutarch, Solon, 15.

<sup>2</sup> Herodot. VI. 121.

<sup>3</sup> Heraclides of Pontus in Athen. XII. p. 536 F. Hipponicus, the son of Struthon does not seem to have belonged to this family. He was of the tribe Acamantis, lived nearly in the same age with the last-named Hipponicus, and is known from the Epigram. in the Fragm. Simonid. No. 205, Schneidew.

<sup>4</sup> Plutarch, Aristid. 25.

<sup>5</sup> Lysias for the Property of Aristoph. p. 649 seq.

<sup>6</sup> See Book III. 12, of the present work.



treasure, after having killed the Persian, and that from this circumstance he obtained his surname, has the appearance of a legend. It is probable, that it arose from his having that surname, and from the tradition concerning his father; especially since, instead of the battle of Marathon, that of Salamis also is mentioned, as the occasion on which the transaction is said to have occurred, and likewise other circumstances of the narration are altered.<sup>1</sup> His great wealth was transmitted to his son Hipponicus the third, whose wife at a later period was married to Pericles. With respect to birth and wealth this Hipponicus also was classed among the first of the Greeks.<sup>2</sup> According to Xenophon he had six hundred slaves in the mines. He is even said to have asked and received permission from the state to build a house within the citadel in which to keep his treasures, because they were not sufficiently safe at his residence. This circumstance was afterwards, when reminded of it by his friends, a source of vexation to him.<sup>3</sup> His daughter, married to Alcibiades, received a dowry of ten talents, the largest dowry until that period ever given by a Greek. Ten talents in addition were to be given when she should bear a son.<sup>4</sup> Hipponicus, while commanding the Athenian forces in the battle of Delium (Olymp. 89, B. C. 424), was slain. Callias the third, the torchbearer, succeeded him. He must have attained possession of his father's estate when a youth. He became distinguished for his wealth, and for his liberality. Sophists, flatterers, and lewd women helped him to dissipate his fortune. As general (Olymp. 96, 4 B. C. 393), he probably rather expended some of his own money, than increased his fortune by the compensation received. The duties of the Spartan proxenia also may have been performed by him with lavish expenditure. About Olymp. 98 (B. C. 388) his property was no longer assessed at even two talents, and at an advanced age, after he had been sent in Olymp. 102, 2 (B. C. 371) as ambassa-

<sup>1</sup> The passages are Plutarch, Aristid. 5; Schol. Aristoph. Clouds, 65; Hesych. Suid. and Phot. on the word *Λακκόπλουτος*. A different person from this Callias the daduchus, was Callias the son of Lysimachides of Athens, who also enriched himself in the Persian wars (Pausan. X. 18, 1).

<sup>2</sup> Andoc. concern. the Myst. p. 64; Isocr. π. τοῦ ζεύγ. 13; Plutarch, Alcib. 8.

<sup>3</sup> Heraclides, ut sup.

<sup>4</sup> Plutarch, Alcibiad. ut sup.; Andoc. ag. Alcibiad. p. 117.

dor to Sparta, he died in indigence.<sup>1</sup> His son Hipponicus the fourth, therefore, could not have possessed much more than the sum last mentioned. Whether Callias, the son of Calliades, who gave Zeno one hundred minas as compensation for his instruction,<sup>2</sup> and who also must, therefore, have been wealthy, was of this family, cannot be determined. It is certain, however, that that rich Callias of more humble descent, who acquired his property by mining, and who paid for Cimon the large fine imposed on Miltiades, did not belong to the same family.<sup>3</sup>

The property of Alcibiades, who was doubly related to the noble Callias, was very considerable. His hereditary estate indeed consisted of only three hundred plethra of land, although Clinias, one of his forefathers,<sup>4</sup> is mentioned among those who dishonestly took advantage of Solon's seisactheia for the purpose of

<sup>1</sup> Concerning the pecuniary circumstances of the Callias who dissipated his property, see Heraclid. ut sup.; Lysias, as above cited (in Olymp. 96); Ælian, V. H. IV. 16, 23; and upon these passages comp. Perizonius. Concerning him as general, ambassador, daduchus, and Spartan proxenus, see Xenoph. Hellen. IV. 5, 13; V. 4, 22; VI. 3, 2 sqq.; in the Banquet, particularly Chap. 8, and with regard to the last-cited passage of the Hellenica, for the purpose of determining the date, comp. Diodor. XV. 51, and the commentators upon the same. To the poverty of a later period of the life of this noble, but vain torchbearer, the jest of Iphicrates in Aristot. Rhet. III. 2, has reference. He is best known from Plato's works. Many authors have treated of this family, particularly Perizon. on Ælian, V. H. XIV. 16; Larcher on Herodotus, VI. 121; Küster on Aristoph. Birds, 284; and the writers cited by Fischer on Plat. Apol. I wished here to adduce only what was requisite for obtaining a knowledge of their wealth, and for distinguishing the different individuals.

<sup>2</sup> Plat. Alcib. I. p. 119 A, and Buttmann on the same.

<sup>3</sup> Plutarch, Cimon, 4; Nepos, Cimon, 1, etc. Dion. Chrysost. also LXXIII. 6, calls him *ἄνδρα ταπεινόν*. I cannot, therefore, consider him the most noble Laccoplutus, although by some the circumstance, that Hipponicus, the son of the latter, had many slaves in the mines, has been combined with the fact, that that Callias who married Cimon's sister Elpinice acquired his property by mining. The name Callias was so frequent at Athens, that this combination of circumstances is not sufficient to decide the point in question. I will oppose to it another combination much more probable. We have information respecting an Athenian, a lessee of some mines, named Callias, who about Olymp. 93, 4 (B. C. 405) discovered the method of preparing cinnabar (Theophrast. on Stones, 103; Plin. XXXIII. 37). He was a descendant of that wealthy man of humble extraction mentioned above. As this manufacturer was a contemporary of the prodigal Callias, the daduchus, so the husband of Elpinice was a contemporary of Laccoplutus, and there is as little probability, that the husband of Elpinice was the son of Hipponicus II., as there is that the discoverer of cinnabar will be considered the son of Hipponicus III.

<sup>4</sup> He may have been considered his great-grand father. But he was not; for the name of his great-grand father was Alcibiades (Isocr. π. τοῦ ζεύγ. 10).

increasing their landed property,<sup>1</sup> and the ornaments of his mother Deinomache are estimated by Socrates in the dialogue of Plato, (or whoever was its author,) entitled the first Alcibiades, at only fifty minas (1,250 thlr., or \$855). But he certainly possessed a large amount of property beside this; since his father Clinias even fought against the Persians with a trireme belonging to himself and manned at his own expense. And also the property acquired by Alcibiades during the four or five years in which he was general could not have been inconsiderable in amount; since the states whom he served readily paid him twice as much as they were accustomed to pay to others. His property, therefore, was estimated at more than one hundred talents. If he left behind him at his death less than he had received from his guardians,<sup>2</sup> his indulgence in revelry and carousing, his prodigality, and the extraordinary vicissitudes of his life, afford the only explanation.

Ordinarily the office of general, and the administration of the government, were the avenues to wealth. The property of Themistocles did not amount to three talents before he undertook the management of public affairs. But he had no scruples of conscience against receiving money for the good cause. For example, he received thirty talents from Eubœa for an irreprehensible object, of which he embezzled twenty-five, having accomplished his object with five talents.<sup>3</sup> When he was banished, and fled to Asia, he saved a part of his property by means of his friends, and yet that portion of it which the state confiscated amounted, according to Critias and Theopompus, to one hundred talents, according to others, to more than one hundred, according to Theophrastus, to eighty talents.<sup>4</sup> Cleon the tanner, was so much involved in debt, before he became a demagogue, that no portion of his property was unincumbered with mortgage. The indulgence of his notorious avarice acquired for him

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<sup>1</sup> Plat. Alcib. I. p. 123, C.; Plutarch, Solon, 15. With regard to the double relationship, Alcibiades was connected with the house of Hipponicus in some way by descent (Demosth. ag. Mid. p. 561, 20; Comp. my Explicatt. Pind. p. 302), and his wife was the sister of Callias.

<sup>2</sup> Lysias concern, the Property of Aristophanes, p. 654.

<sup>3</sup> Herodot. VIII. 4, 5.

<sup>4</sup> Plutarch, Themistocl. 25; Ælian, V. H. X. 17.

fifty, according to another reading, one hundred talents.<sup>1</sup> The assertion of Dinarchus,<sup>2</sup> that Demosthenes, by bribes received from the Persians and from others, gradually acquired 150 talents, is certainly exaggerated. Not less exaggerated is the charge which Hyperides<sup>3</sup> brings against him, and also against Demades, that each of them from decrees of the people and proxeniæ (namely, which had been passed at their suggestion, and obtained through their intrigues) had gained more than sixty talents. For Demosthenes possessed no landed property, and when he was condemned upon the charge of having been bribed by Harpalus he could not even pay the fine. I will mention another contemporary of Demosthenes, namely, Diphilus; from whose confiscated property there were obtained 160 talents.<sup>4</sup> Common report ascribed to Epicrates, as Lycurgus related, a property of six hundred talents.<sup>5</sup>

Although these statements are not sufficient to enable us to designate the amount of the wealth of the Athenian people by a determinate number, yet they may warrant us in forming the opinion, that, relatively to the condition of Greece in the period under consideration, it was not inconsiderable. But Demosthenes, in reference to this particular, represents the resources of Athens as nearly equal to those of all the other Grecian states.<sup>6</sup> It appears, however, that in the better periods of the state, property was divided with tolerable equality; that is, most persons had only so much as they needed for their maintenance. No one was so poor as to be compelled, to the shame of the state, to beg.<sup>7</sup> But the wealthy, to gain favor, as did Cimon for example, imparted a portion of their property to the poor. When it is said that the mass of the people were poor (*πένης*),<sup>8</sup> this, according to Greek usage, does not mean that the most of them

<sup>1</sup> Ælian ut sup., and Perizon. on the same.

<sup>2</sup> Ag. Demosth. p. 50, 51.

<sup>3</sup> The same, p. 19 of my text.

<sup>4</sup> Lives of the Ten Orators, in the Life of Lycurgus. Comp. Book I. 7, of the present work, and my often cited Abh. über die Silberg. von Lavrion.

<sup>5</sup> Harpocr. and Suidas on the word *Ἐπικράτης*.

<sup>6</sup> Π. συμμ. p. 185, 2. Comp. the speech ag. Androt. p. 617, 12; Thuc. I. 80; II. 40.

<sup>7</sup> Isocr. Areopag. 38.

<sup>8</sup> Treatise concern. the Athen. St.; Xenoph. concern. the Pub. Rev.



were entirely destitute of property. Landed property also was divided with considerable equality. Even men of wealth, as Alcibiades or Aristophanes,<sup>1</sup> possessed only one hundred plethra, or a little more. We do not find until the time of Demosthenes, complaints that individuals acquired possession of too many, or of very large portions of real estate.<sup>2</sup> The cases of Phœnippus, and of Pasion, the banker and exchange broker, are examples of such acquisition. When the people after the fall of the thirty tyrants returned to Athens, there were not more than five thousand citizens, who were not landholders,<sup>3</sup> and a part of them may have possessed other property.

At a later date many seem to have sunk into extreme penury, and but a few to have raised themselves to affluence. Yet the wealth of individuals never reached that degree, to which it arrived in the Macedonian states under despotic rule, and in the Roman State. Hence Cicero<sup>4</sup> could assert, that fifty talents, particularly at Athens in the age of Alexander, was a large sum of money. When Antipater, in Olymp. 114, 2 (B. C. 323), deprived all the Athenians who did not possess two thousand drachmas of the full rights of citizenship (*πολιτεία*), twelve thousand men are said to have incurred this misfortune.<sup>5</sup> Only nine thousand, therefore, possessed that sum. During the period of Cassander's rule ten minas sufficed to warrant the claim of the full rights of citizenship.<sup>6</sup> These sums are so small, that one might be inclined to consider them, not as estimates of the whole property, but definite portions of the same fixed by law for the purpose of subjecting them to taxation, as was required by the regulations of Solon and of Nausinicus relating to assessment and taxation. But this also is inconceivable, because in that case too large an amount of property would have been requisite for the enjoyment of the rights of citizenship. We must, there-

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<sup>1</sup> In Lysias. See Book I. 11, of the present work.

<sup>2</sup> Book I. 12, of the present work.

<sup>3</sup> Dionys. Hal.; Lys. p. 92, 44. Sylb.

<sup>4</sup> Tusc. V. 32.

<sup>5</sup> Book I. 7, of the present work. What De Bruyn, de Peregr. Cond. ap. Ath. p. 33, says upon this subject in opposition to Westermann will not need any comment, when one considers what the expression "the full rights of citizenship" means, to show that it is destitute of weight.

<sup>6</sup> Diodor. XVIII. 74.

fore, consider those sums as actual valuations of property, and it must be inferred from them, that the prosperity of Athens had very much declined. With regard to the earlier periods of the state, it would be important to know how much property was requisite during the government of the four hundred for admission among the five thousand hoplitæ. But we know only in general, that physical strength and a competent degree of wealth were required.<sup>1</sup>

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## CHAPTER IV.

### A MORE PRECISE DETERMINATION OF THE WEALTH OF THE ATHENIAN PEOPLE.

OF the total amount of the wealth of the Athenian people Polybius<sup>2</sup> gives an apparently very satisfactory account. Phylarchus had related, that Cleomenes before the battle of Sellasia had collected from the pillage of Megalopolis six thousand talents. This sum, with which the king of the Spartans, according to Polybius, might have surpassed even Ptolemy in luxury, and in military and naval power, our historian will not allow to be correct. In that period, he asserts, when the Peloponnesus had become impoverished, so much property could not have been obtained from it, as in his own time when that country was prosperous, and yet at that very time, not reckoning the value of the persons of the inhabitants; but including implements, utensils, and furniture, six thousand talents could not be collected from it. "What historian has not related concerning the Athenians," he continues, "that at that juncture, when they in common with the Thebans engaged in war against the Lacedæmonians, and sent into the field ten thousand soldiers, and manned one hundred triremes, they resolved to levy the war taxes upon property, (*ἀπὸ τῆς ἀξίας*), and to assess the whole coun-

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<sup>1</sup> Thuc. VIII. 65. Comp. 97.

<sup>2</sup> 62. Comp. 63.

try of Attica, and the houses, and also all the other property, and nevertheless the whole assessment (*τὸ σύνπαν τίμημα τῆς ἀξίας*) amounted to 250 talents less than six thousand."

How Ste. Croix<sup>1</sup> could think of Olymp. 103, 2 (B.C. 367) in connection with this transaction is inconceivable. Polybius indicates with sufficient precision the new assessment made in the archonship of Nausinicus in Olymp. 100, 3 (B.C. 378). In that year the Athenians contracted an alliance with Thebes, and after the design of the Spartan Sphodrias against the Piræus had failed, fortified that harbor, built new ships, and aided the Thebans with all the means at their command. Demophon went to their assistance with five thousand hoplitæ, and five hundred cavalry, and according to Diodorus — who, in conformity with his usual practice, relates this circumstance among the transactions of the following year, and always exaggerates the numbers — it was resolved to raise a force of twenty thousand hoplitæ and five hundred cavalry, and to equip two hundred ships under the command of Timotheus, Chabrias, and Callistratus. The first result of the alliance and of the assistance of the Athenians was the surrender of the citadel Cadmea to the Thebans.<sup>2</sup>

A more precise statement upon the subject under consideration hardly appears desirable. Polybius, the most accurate and judicious of historians, furnishes us a definite statement of the property of the Athenian people for a given period, and, indeed, according to the assessment of the public officers, consequently founded upon public documents, with which at least one of his predecessors, who drew from the source, was acquainted. No doubt can prevail, that he meant the entire property of the people; since he mentions the assessment, not only of the landed property of the whole of Attica (*χώρας*) and of the houses, but also of the other property (*τῆς λοιπῆς οὐσίας*). Even Demosthenes, very nearly concurring with this statement of Polybius, reckons the assessment of the whole country (*τίμημα τῆς χώρας*) at six

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<sup>1</sup> Abh. über Attika's Bevölkerung, Denkschr. d. Akad. Bd. XLVIII. p. 148. The same author refers, in relation to the assessment of six thousand talents, also to Anaximenes; a gross inadvertence, the occasion of which was, that in Suidas and Photius, the article on the phrase *ὑπὲρ ἑξακισχίλια* transferred from Harpocration is inserted after the article on the phrase *ὁ κάτωθεν νόμος*, and appears, contrary to the fact, to be connected with it. Küster had already separated them.

<sup>2</sup> Xenoph. Hellen. V. 4, 34 sqq.; Diodor. XV. 25–29.

thousand talents.<sup>1</sup> Philochorus does the same in the tenth book of his work upon Attica.<sup>2</sup> Harpocration<sup>3</sup> remarks, that by the assessment (*τίμημα*) the valuation of the capital of the country is to be understood. This excludes the supposition, that annual revenue is meant; even if we did not know, that it never amounted to so large a sum.<sup>4</sup>

But however weighty may be the authority of Polybius, and however specious the agreement of the other authors, yet I believe that I shall be able by strong arguments to convict that excellent historian of error.<sup>5</sup> I will in the first place prove, that 5,750 talents are too small a part of the property of the Athenian people, inferring from other circumstances, which give an indication of its amount, to warrant the opinion, that in the assessment mentioned by Polybius the valuation was merely too low, because the citizens had concealed much of their property. In the second place, I will show in the course of the investigation how Polybius fell into this error, and how both the other passages, as well as the account which he misconceived, are to be understood.

Property, according to the expressions of the Athenian law, is either manifest, or not manifest (*ὀνόσια φανερά*, and *ἀφανής*); that is, immovable, or not movable. In the latter expression are included money, implements, utensils, and furniture, slaves, etc.<sup>6</sup> Immovable property consists of houses and lands. The mines cannot be taken into consideration, because from them, as heritable leaseholds belonging to the state, no property tax was paid, nor liturgia performed. The land employed for the raising of grain amounted alone, as it appears, to more than a million ple-

<sup>1</sup> Π. συμμ. p. 183, 5. p. 186, 18, in Olymp. 106, 3 (B. C. 354).

<sup>2</sup> Harpocr. ut sup. In the manuscript of Demosthenes which Harpocration possessed, the number, through an error of the pen, had been written eight thousand.

<sup>3</sup> On the word *τίμημα*.

<sup>4</sup> And yet Meursius (Fort. Att. p. 51), Petit (Leg. Att. III. 2, 33), Salmasius (Mod. Usur. I. p. 28), and among others even Winkelmann could be disposed to understand, that by this assessment the valuation of the annual incomes of the inhabitants was meant. Heyne, Antiq. Aufs. I. p. 205, has corrected Winkelmann.

<sup>5</sup> Thoms. de Phylarchi Vita, p. 45 seq. thinks, that Polybius did not mistake, but that he understood the word *τίμημα* in the same sense in which I do. So much the better, say I. But unfortunately, not only the words of Polybius, but also the object for which he referred to the subject, militate against this supposition.

<sup>6</sup> Harpocr. Ἀφανής ὀνόσια καὶ φανερά: ἀφανής μὲν ἢ ἐν χρήμασι καὶ σώμασι καὶ σκευαῖσι, φανερά δὲ ἢ ἐγγίσιος, etc.



thra. The value of a plethron may be estimated upon an average at fifty drachmas;<sup>1</sup> the whole quantity of land, therefore, employed for the above-mentioned purpose was worth more than eight thousand talents. If we deduct five hundred talents from this amount for property belonging to the state, even the value of the taxable land employed for the raising of grain exceeds by a considerable sum the amount of the assessment mentioned by Polybius. For the rest of the land, so far as it was in the possession of private individuals, or of taxable communities, in which also the districts may be included, we may add, probably at least, such sum as will make the value of the whole taxable landed property nine thousand talents.

Moreover, there were more than ten thousand houses in Athens, beside country-seats, and the buildings on farms, in villages and in country towns.<sup>2</sup> If we reckon the value of the houses in Athens on an average at ten minas each, which cannot be too high an estimate according to well known data, we have a sum of more than sixteen hundred talents. To this sum we may add, according to an extremely low estimate, four hundred talents for the buildings in the other portions of Attica. The value of the immovable property alone, then, amounts to nearly twice the sum stated by Polybius.

If we assume, now, that the number of the slaves was 360,000, and that each slave was worth only a mina,<sup>3</sup> we have the sum of six thousand talents. If we assume that the number of the horses in Attica was three thousand, and that each was worth on an average five minas,<sup>4</sup> the whole number, therefore, worth 250 talents, it will be but a low estimate. For the cavalry consisted of twelve hundred men, and the number of their servants was the same; the young men took great pleasure in the raising and keeping of horses, and no expense was spared by many to procure elegant steeds and racers, to be exhibited at the public games. Alcibiades, for example, sent at one time seven chariots to the Olympic games.<sup>5</sup> Finally, a large number of horses were

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<sup>1</sup> See Book I. 15 and 11, of the present work.

<sup>2</sup> Book I. 12, of the same.

<sup>3</sup> Comp. Book I. 7 and 13, of the same.

<sup>4</sup> Book I. 14, of the present work.

<sup>5</sup> Thuc. VI. 15, 16.

required for the use of the husbandman. We will add only one thousand span of mules, together worth one hundred talents, and will estimate the value of all the cattle, sheep, goats, and swine at only 250 talents.

The amount of money in present possession and loaned out could not have been inconsiderable; since even a banker like Pasion had fifty talents of his own money loaned out at interest, and Lycurgus had in his possession 650 talents intrusted to his care.<sup>1</sup> But what large sums were invested in unproductive property, such as implements, utensils, and furniture manufactured of gold, silver, or bronze, what sums in goods of all kinds! Even in the time of the comic poet Aristophanes the use of silver for household furniture was frequent, and it gradually increased to that degree, that, in order to furnish cheaper vessels, manufactured of that metal, to those who could not afford to purchase the dearer articles, silver was beaten out to the thinness of the human skin. Hence a comic poet speaks of vessels which weighed four, or two drachmas, or even only ten oboli.<sup>2</sup> All other articles for household use (*ἐπιπλα, σκεύη*), even clothing and women's ornaments, as may be seen from the valuation of the property of Demosthenes, were taken into the account in the assessment. The value of these articles must have been considerable; since they possessed establishments and conveniences not only for residing, eating, and sleeping, but also, in wealthy families, for the exercise of various trades, as for weaving, baking, and the like.<sup>3</sup> The father of Demosthenes left behind him at his death one hundred minas in implements, utensils, furniture, drinking vessels, gold, clothing, and ornaments of his wife. All these articles, when the property of the son was assessed, were noted in the assessment register. The implements, utensils, and furniture of another person were worth more than twenty minas. Those of that Aristophanes whose property was confiscated, as related in the speech of Lysias cited on the next page, were sold for more than one thousand drachmas, and this sum perhaps was less than the half of their value. The value of the gold and clothing in the dowry of persons of

<sup>1</sup> Book III. 19, of the present work.

<sup>2</sup> Athen. VI. p. 229, F sqq.

<sup>3</sup> Comp. Xenoph. *Æcon.* 9, 6.

moderate means was estimated at ten minas.<sup>1</sup> The mother of Alcibiades possessed ornaments worth fifty minas. But not to mention every minute circumstance relating to this subject, and omitting many accounts found in the orators, I will call to recollection only the ships, the value of which cannot have been inconsiderable. The value of all these several articles being added together, the property of the Athenian people, as it was valued in taking the assessment, cannot be estimated at less than twenty thousand talents. In this estimate the sum assigned to the ready money, together with all movable property, except slaves and cattle, namely, 2,400 talents, is, it is evident, extremely low. This is not because we do not think that they were worth more, but the lowest estimate was, in every case, assumed, in order to show that Polybius at all events was deceived.

Gillies,<sup>2</sup> who also was not satisfied with that statement of Polybius, thought that the value of merely the landed property was comprised in the 5,750 talents, and that the rest of the property had been concealed, so that it had been impossible to take the assessment of it. But this directly contradicts the words of the historian, and even if it be conceded, that some may have concealed a part of their property, the amount upon the whole could not have been large. For the owners of property could not, on account of their inheritances and lawsuits, have dared to report themselves to the assessing officers as worth less than they really were. Many, in order to acquire distinction, even reported the amount of their property to be more than it really was. In general, the assessment, as the case of Demosthenes shows, was accurately made. Least of all can I acquiesce in the opinion of the Englishman, that the property of the Athenian people amounted to about twelve thousand talents. Even for the landed property the number stated by Polybius is so small, that twelve thousand talents, and even more,

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<sup>1</sup> Speech ag. Nicostr. p. 1251, 15; Lysias concern. the Prop. of Aristoph. p. 635; Demosth. ag. Spud. p. 1036, 10.

<sup>2</sup> Discourse on the History, Manners, and Character of the Greeks, p. 12. Of a determination of the amount of the property of the Athenian people by means of a so-called theoretic diagram published in the year 1835, all that I have to say is, that I have read it.

may be assumed to have been the value of it alone, rather than of the whole of the property of the people.

In short, Polybius states the amount of the assessment (*τίμημα*) of the property of the inhabitants of Attica, very accurately, at 5,750 talents. This was the amount of the assessment of the whole property, but not its value. He knew only the amount of the assessment of the whole property, but he was not acquainted with the principles according to which the assessment was taken, and, therefore, erroneously considered that amount to be the value of the whole property. The assessment taken during the archonship of Nausinicus was, as will be shown, of a definite portion of the property, which was considered taxable. This portion was different in the different classes of the inhabitants. In the first class it was a fifth part of the property possessed. In the lower classes a smaller part. When the property of an individual was very small, it was doubtless not assessed.<sup>1</sup> Consequently the value of the property of the whole people was far more than five times the amount of the assessment, and may be estimated, exclusive of the untaxed property of the state, at from thirty to forty thousand talents. The annual incomes derived from this property were at least twice as large as an equal amount of capital would produce at the present day. Consequently every tax was at the most only half as large as it appears, or rather much smaller still, for the owner of a moderate estate of five or six talents could hardly, without great extravagance, have consumed the proceeds of it to defray the expenses of his living.

Moreover, against the view which I have presented, no objection can be brought, except perhaps one derived from a passage of the *Ecclesiazusæ* of Aristophanes,<sup>2</sup> never yet taken into consideration in relation to this subject. Olymp. 96,  $\frac{3}{4}$  (B. C. 393) may be assumed to have been the date of the first representation of this comedy. Euripides, probably the younger tragic poet, had a short time previously offered a proposition to raise a fortieth as a property tax. It was supposed that this tax would produce five hundred talents. He was at first idolized on ac-

<sup>1</sup> Comp. Book IV. 9, near the end.

<sup>2</sup> Vs. 818 sqq. It cannot be conceived, as Spanheim de U. et P. N. Vol. II. 551, and Burmann de Vect. P. R. V. supposed, that an income tax is meant.



count of this proposition, but afterwards, when the measure did not produce the sum anticipated, he was reviled. Why it did not produce that sum we are not informed. Either those who were subject to taxation could not pay the taxes, because Attica had not yet recovered itself from the disasters of the Peloponnesian war, or Euripides had made his estimate too high. But the error could not have been very great; for experience must have already shown upon what amount of property in general reliance could be had. Hence the former is the more probable reason. He had manifestly estimated the taxable capital at twenty thousand talents. But it cannot be shown that the taxable capital in this instance was identical with the property. It may have been only a definite portion of the property, but ascertained by a different method of assessment from that which was taken in the archonship of Nausinicus. Perhaps the same method was adopted, for example, as in the assessment of Solon, in which the whole property of the first class was assessed at its actual worth, the property of the second class at five sixths, of the third class at five ninths of their respective values. By this method the assessment of property to the amount of about thirty-five thousand talents might easily have produced a total of nearly twenty thousand. But it is time to examine more particularly the method practised by the Athenians in taking an assessment of property for the purpose of taxation.

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## CHAPTER V.

OF THE METHOD PRACTISED IN TAKING AN ASSESSMENT. THE EARLIEST REGULATIONS IN RELATION TO THE FINANCES. THE REGULATIONS OF SOLON IN RELATION TO THE ASSESSMENT OF PROPERTY, AND THE ALTERATIONS OF THE SAME UNTIL THE PERIOD OF THE ARCHONSHIP OF NAUSINICUS.

WHAT were the regulations of the Athenians in relation to taxes before the time of Solon cannot be accurately ascertained. I consider it certain, that before his time participation in the sovereignty of the state was not enjoyed by all the four tribes.

The hopletes were the ruling aristocracy. Subject to them were the husbandmen (*Τελέοντες*, or in the form, which became the official one, and which is difficult to explain, *Γελέοντες*), with the exception of certain distinguished and sacred families, the goat-herds (*Αἰγιστοῖς*), and the mechanics and laborers (*Ἀργυδοῖς*).<sup>1</sup> The hopletes formed in an especial manner the governing class. To them the subject husbandmen paid taxes, as in India to the king, and these latter were like the Penestæ or the clients, bondmen, or thetes in the original sense.<sup>2</sup> They possessed no landed property; that for the most part belonged to the hopletes. The latter performed military service, furnishing their own equipments, and took their servants with them into the field, like the Thessalian knights. For sustaining the government of the state in time of peace little or no expenditure was requisite, and the wars were too inconsiderable to render an artificial system of finance necessary. The temples and priests were supported from the sacred landed property, from tithes paid from land, and from sacrifices, and the administration of justice was sustained by honorary gifts (*ῥέστα*) for every judgment. The political constitution of Solon first wholly abolished the ancient relation of subjection by which the husbandmen were bound, (and which is not to be

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<sup>1</sup> Concerning these classes and their names, see my Prefatory Dissertation in the Catalogue of the Lectures of the University of Berlin for the Summer of 1812. Since that date this subject has been frequently treated; by Hüllmann, for example (*Anfänge*, d. Griech. Gesch. p. 239 sqq.), and by others. What I have further to say upon it has been summed up in C. I. Gr. No. 3665. The opinion that *Γελέοντες* was the official name of one of the tribes, has, in the mean while, been confirmed by finding the expression *Ζεῖς Γελέων* in an inscription lately discovered, published by Ross (*Demen v. Att. Vorrede*, p. VII.), (see allg. Bemerkungen zu den Tributregistern in dem. Städteverzeichniss unter *Συναγγελλῆς* in Vol. II. of the original of the present work). Only in consideration of the mention of *ἐκπημόροι* in the passage of Plutarch, Solon, 13, have I, with respect to this class, presented in the former edition of this work an opinion different from the one which I now entertain. But these *ἐκπημόροι* certainly seem to have had their origin in the ancient relation of subjection, and to have become such through their further impoverishment. Schömann has already collected in his work de Comit. Ath. p. 362 the opposite accounts of the ancient writers relating to this class, and expressed the opinion, that they did not give a sixth part of the produce to the proprietors of the land, but received a sixth part. And I also now consider this to be the correct opinion. The relation of the Italian *partiarū* to the proprietors of the soil, according to Cato, de R. R. 136, convinces me of this. This relation has been very well explained by Rudorff (Prefatory Dissertation in the Catalogue of the Lectures of the University of Berlin for the Summer of 1846).

<sup>2</sup> Thus Dionys. Archæol. II. p. 84. Sylb. correctly connects these terms.

confounded with slavery,) after its rigor had been already for a long period abated. The same constitution allowed to all free-men, that is, to all the four tribes, a participation in its privileges, but defined their rights differently according to the amount of their assessment (*τίμημα*, census). Thus the government of the state, without being a complete democracy, approximated to that form. For Solon, in the regulations which he adopted for the Areopagus, placed that body as a counterpoise to the democracy. This was an aristocratic element, not indeed in the sense of the original aristocracy of noble birth, but as a council formed from select archons, who had proved their ability in the execution of official duties; consequently, in the sense of an aristocracy of virtue and talent. And by allowing the fourth class alone the right of voting in the assemblies of the people, and participation in the jurisdiction by sitting as judges in the courts, but prohibiting them from occupying any of the higher offices of the magistracy, a prerogative was granted to the higher classes, by which the constitution was rendered preponderantly timocratic. But without endeavoring to ascertain the other objects, which Solon had in view in his institution of classes among the people, let us inquire into its nature in relation to the assessment of property, and to the public services.

Solon instituted four classes (*τιμήματα, τέλη*),<sup>1</sup> and Plato at a later date in his work on Laws<sup>2</sup> proposed the same number. The circumstances, however, which determined the classification were in the two cases very different. The first of Solon's four classes was that of the pentacosiomedimni; that is, of those who gathered from their own land five hundred measures of dry or liquid products: of dry products medimni, and of liquid metretæ. For the second class he chose those, who gathered three hundred measures from their land, and who could afford to keep a horse; namely, a war horse (*ἵππος πολεμιστήριος*). Another horse was then required for a servant. Of course those who belonged to this class would need also a team for agricultural purposes. These persons were called knights (*ἵππῆς, ἵππῶδα τελούντες*). The third class were the zeugitæ (*ζευγῖται*), and their assessment was

<sup>1</sup> The latter expression is found in Harpocr.; Schol. Demosth.; Suid. on the word *ἵππῆς*, and in other authors; the former is very common.

<sup>2</sup> V. p. 744, C.; VI. p. 755, E.

called the assessment of the *zeugitæ* (*ζεγγίσιον τελεῖν*). By this is not to be understood, as might be supposed from a passage in Pollux, a particular tax on working cattle. Their name is derived from keeping a team (*ζεῦγος*), whether it was a pair of mules, as was commonly the case, or of working horses, or a yoke of oxen. The amount of the produce of their land is generally stated to have been two hundred measures of dry and liquid products. The last class were the *thetes*, the value of whose property was less than the amount of the assessment required for those who were placed in the class of the *zeugitæ*.<sup>1</sup> The *pentacosimedimni*, says Pollux, expended upon the commonwealth (*ἀνίλισκον ἐς τὸ δημόσιον*) a talent, the second class thirty minas, the third ten minas, the *thetes* nothing.<sup>2</sup>

Thus far our information has been derived from the most reliable and accordant accounts. The statement of some of the grammarians, that there were only three classes (*τάξεις*), entirely omitting the *zeugitæ*,<sup>3</sup> is manifestly erroneous. The same may be said of an interpolation in Aristotle's *Politics*,<sup>4</sup> which makes

<sup>1</sup> Plutarch, Solon, 18. In this passage, where the third class is mentioned, through an error of the pen the words *οἷς μέτρον ἦν συναμφοτέρων τριακοσίων* were written instead of *διακοσίων*. This emendation was justly made by Henry Stephens from Pollux. The word *συναμφοτέρων* refers to the measures of both dry and liquid products: as, for example, in Lex. Seg. p. 298, on the word *πετακοσιμέδιμνοι*: *πεντακόσια μέτρα συνάμφοω ξηρὰ καὶ ὑγρά*. Plutarch gives the correct number in the Comp. of Aristid. and Cato, 1, with the remark, that the pecuniary circumstances of individuals were at that period still moderate. See in addition to the above-cited passages, Pollux, VII. 129, 130; Suid. on the words *ἱππῆς* and *ἱππεῖς*; Phot. on the word *ἱππῆς*. In the first article of the last-mentioned author *ἱππεῖς*, and *ἱππῆς* are ridiculously given, as the appellations of two different classes. See also the Argument to Aristoph. Knights; Schol. Plat. Ruhnk. p. 184; Schol. Demosth. Vol. II. p. 55. Reisk.; Etym. on the word *θητεία*; Nicephorus Gregor. on Synesius; Zonaras on the phrase *ἐκ τμημάτων*; Harpocr. on the word *ἱππῆς*. These all give the same arrangement, the last-mentioned author referring to Aristotle on the Ath. St., also to Schol. Thuc. III. 16. Hesychius (on the word *ἱππῆς*) is mutilated. See in addition, Lex. Seg. p. 260, 261, 267, 298, and with respect to *ζεγγίσιον*, Pollux, VIII. 130, 132; Suid. Phot. Etym. Lex. Seg. p. 260, 261, and Hesych. In several of these works it is incorrectly written *ζεγγίσιον*. The orators show us, for example, Isaëus concern. the Estate of Dicaeog. p. 116, concern. the Estate of Philoctem. p. 140, that a *ζεῦγος* was generally a pair of mules. Etym. and Phot. on the word *ζεῦγος*, and Lex. Seg., combining them together, mention all the three kinds of animals in their explanation of this word.

<sup>2</sup> Pollux has been used by the Schol. Plat. Ruhnk. p. 184. Ruhnk.

<sup>3</sup> Etym. and Phot. on the word *ζεγγίσιον*; Schol. Arist. Knights, 624.

<sup>4</sup> II. 9. 4. Schm. (12 Bekk). Götting has justly declared the whole chapter to be interpolated.



the knights the third, but the zeugitæ the second class. This is contrary to the testimony of all the ancient authors,<sup>1</sup> who always mention the knights after the pentacosiomedimni. It is even contrary to the law which is soon to be quoted. For the fact recorded in an inscription in the citadel<sup>2</sup> of Athens, that Anthemion, the son of Diphilus, the valuation of whose property according to the assessment would not have assigned him to a higher class than that of the thetes (θητικὸν τέλος), was immediately raised to the class of knights, furnishes no evidence against the view which I have presented; because a person might, by inheritance or some fortunate event, have suddenly become so rich that he was transferred from the lowest to the second class. That Suidas ascribes four hundred measures to the knights seems to be an error of the transcriber, not of the author; especially since the scholiasts of Aristophanes and of Demosthenes,<sup>3</sup> who had the same text as Suidas, deviate from his account only in giving the correct number three hundred. Hence Reiske deserves no regard when he proposes by an alteration in the text to ascribe to Plutarch the opinion, that the knights received four hundred measures from their lands, and the zeugitæ three hundred. Synesius<sup>4</sup> even calls the second class triacosiomedimni, instead of knights.

But I venture to reject even the account for the correctness of which all the writers who treat of this subject vouch, namely, that the zeugitæ received two hundred measures from their land. My reason for rejecting it is not because it is incredible, that all who received less than two hundred measures were thetes. The small difference between the two hundred measures of the zeugitæ and the three hundred of the knights, compared with the difference between the income of the knights and that of the pentacosiomedimni, would have more weight with me, than the consideration just mentioned. But my reason is because a law preserved in Demosthenes<sup>5</sup> leads to a different determination. This law prescribed the sum which any person of the three

<sup>1</sup> For example, Thuc. III. 16.

<sup>2</sup> Pollux, VIII. 131.

<sup>3</sup> Schol. Aristoph. Knights, 624; Schol. Demosth. Vol. II. p. 85. Reisk.

<sup>4</sup> De Insomn. p. 146, B.

<sup>5</sup> Demosth. ag. Macart. p. 1067 seq. Comp. Harpocr. on the words θῆτες and ἐπίδικος; Diodor. XII. 18.

higher classes should give as dowry to a female relative of the lowest class who was an heiress of her deceased father, if he was unwilling to marry her. If he was a pentacosiomedimnus he was required to give her five hundred drachmas, if a knight, three hundred drachmas but if a zeugites, only 150 drachmas. Both of the two former classes, therefore, were to give as many drachmas as they gathered measures from their land. In accordance with this I am convinced, that the same was the case with the zeugitæ, and that the property of persons of that class supplied produce barely to the amount of 150 measures. The person who received less than 150 measures from his land belonged to the thetes; the person who received from 150 to 299 to the zeugitæ. The person who received from 300 to 499 to the knights; and the person who received 500 and upwards to the pentacosiomedimni.

The more modern authors very complacently and quietly tell us the amount of the taxes which Pollux states that these classes paid to the state, without being aware of the absurdity of such statement.<sup>1</sup> We should like to know what we are to consider those taxes of a talent, thirty minas, ten minas. A regular tax paid into the public treasury? But in that case the annual revenues of the Athenians must have been very large, and yet they never amounted to more than two thousand talents; unless with Salmasius we assume, that Athens had an annual revenue of six thousand talents, of which two thousand were obtained from the sources, which Aristophanes specifies in the Wasps, and four thousand talents from the taxes assessed to the citizens: an assertion too unfounded and ridiculous to deserve refutation. Or were those sums to be expended in the performance of the liturgiæ? The expression of Pollux is entirely consistent with this supposition. But it is inconceivable, that the state should have designated how much money each person should expend in the performance of his liturgia. All the particulars in the performance of every liturgia were regulated by law, for example, how many singers or performers on the flute the choregus was to fur-

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<sup>1</sup> Even Budæus (de Asse, et Partibus ejus V. p. 530. Gryph.) introduces disorder and confusion into his work, both in relation to this particular, as well as to the assessment of six thousand talents. Since he did not have a clear view of the subject, he gropes about for enlightenment without attaining his object.

nish, how he was to support them, how to adorn them, and there were similar regulations in relation to the other personal public services. What the performance of them cost the individual was indifferent to the state. One individual might by prudent management perform them with but a small expenditure, while another from want of judgment should without performing more than the former, throw away a large amount of money to no purpose. If the state, therefore, directed the expenditure of any definite sum of money in the performance of the *liturgiæ*, it did not attain its object. We may add also, that the *liturgiæ* could not have been so expensive in the time of Solon as they afterwards became. The *liturgiæ* of the later periods we are not now considering. Or, finally, does the rate in question have reference to the extraordinary taxes? An extraordinary tax in the time of Solon could not have been so high as the sums mentioned by Pollux. Moreover, it could not have been raised in such a manner, that each individual of a class paid the same amount; for example, that each *pentacosimedimnus* paid a talent, whether he gathered from his land five hundred, or five thousand *medinni*. This would have been the most glaring absurdity. Furthermore, those who were unable to pay ten *minas* could not have been exempted from paying the tax. Who can believe, that all those persons were *thetes* (*capite censi*), who not pay a tax of ten *minas* (250 *thlr.* or \$171), that this was the lowest rate of the tax, and, indeed, from mere landed property? Finally, no extraordinary tax was levied in such a manner, that the sum which each person was to pay was designated once for all occasions on which such tax should be imposed. It was levied in accordance with the exigence of the case. If a large sum was to be raised, the tax of each individual was higher; if a small sum, the tax was less. It cannot, therefore, be ascertained to what that large tax of which Pollux speaks is to be referred.

But in order that even the most incredulous person may be convinced, that his account is entirely unfounded, I will add, comprised in a few words, the following considerations. In the time of Solon the price of a *medimnus* of grain was a *drachma*.<sup>1</sup> If the price of a *metretes* of oil was higher, that of the common wine on the other hand was less.<sup>2</sup> So that in the average the

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<sup>1</sup> Book I. 15, of the present work.

<sup>2</sup> Book I. 16, of the same.

price of a measure of the fruits of the earth cannot be considered to have been more than a drachma. The income of a pentacosiomedimnus therefore was assessed according to his landed property at five hundred drachmas, and according to the account of Pollux he was to pay a tax upon this property of a talent, that is, twelve times the value of its produce, and those belonging to the other classes were to pay in the same proportion! Or are we to understand, perhaps, that the five hundred, three hundred, one hundred and fifty measures, were not that amount of produce, but of the seed sown, as in the Mosaic law certain regulations were established relating to the estimation of the value of land in certain cases according to the quantity of seed sown? But we find no mention of this in any ancient author, although the contrary assertion is made by certain inaccurate instructors in antiquities. Moreover, measures of liquid products are expressly mentioned, in relation to which there could have been no seed. Finally, the number of measures mentioned would have been too large for seed. For even at a later date than the one under consideration, Alcibiades, who was certainly a pentacosiomedimnus, possessed only three hundred plethra of land. And, again, how can we conceive that all were thetes, who did not require 150 measures of grain as seed for their lands? In no way can the account of Pollux be verified. Shall we, therefore, absolutely reject it? or does it contain a concealed truth? It certainly does: but it has been rendered almost indiscernible through a gross misconception.

Let us consider in the next place what regulations Solon, when he arranged the citizens into classes, established in relation to their several duties. As the rights of the citizen were different according to the class to which he belonged, so were the personal public services required of him. Among these the first was the obligation to the performance of military service in its different gradations. The thetes are said, according to a lost passage of Aristophanes, like the lowest class among the Romans, to have performed no military service.<sup>1</sup> If this may have been the case in the more ancient periods, we may assume without hesitation, that they soon served among the light-armed troops (*ψιλοί*), and on board the ships of war. Indeed in cases

<sup>1</sup> Harpoer. on the word *θητες*; comp. Phot. on the word *θητεύς*.



of emergency they were incorporated, as were even many of the aliens under the protection of the state, among the *hoplitæ*.<sup>1</sup> They were, however, under no obligation to serve in that capacity, and hence the state in such cases was obliged to arm them. Thucydides<sup>2</sup> mentions persons serving as *hoplitæ*, who were *thetes*; but opposes to them the *hoplitæ* who were taken from that class of persons whose names were enrolled in the lists of those who were liable to military service kept in the several tribes, (*ὀπλίται ἐκ καταλόγου*). The *zeugitæ* manifestly composed the mass of those who were liable to serve as *hoplitæ*. Above them stood the knights, whose very name indicates, that they were liable to serve as cavalry, although they were not always in time of war summoned to the performance of that duty, and were obliged to manifest beforehand their capacity for that service. Respecting the duties of the *pentacosiomedimni* we have no information. But it is evident from the nature of the case, that from that class were appointed the commanders of the military and naval forces, and the *trierarchs*: for the *trierarchy* was also a military service. Moreover, it is probable, that the performance of the other *liturgiæ*, although the manner in which they were distributed is not known, was regulated according to the assessments of these several classes. Finally, I have not the least doubt, that at the same time when the assessment was taken a rate was established, according to which, when occasion required, an extraordinary tax was raised. But there was no regular property tax raised, for if there were, we should certainly have had more definite information respecting it.<sup>3</sup> The notice of Thucydides at so late a period of the introduction of that tax, as something new, indicates at the same time how seldom it had been previously raised, even as an extraordinary tax.

The expression "to comply with the requisition assessed (*τελεῖν τέλος*)" occurs indeed so frequently, that it might thence be inferred, that such a tax was regularly raised, especially since sometimes the still more definite expression is employed: "*to*

<sup>1</sup> Antiphon in Harpocr. as above cited contains an indication of this in the words: *τοῖς θήταις ἅπαντας ὀπλίτας ποιεῖσαι.*

<sup>2</sup> VI. 43.

<sup>3</sup> Even Budæus, ut sup., p. 534, understood, that no regular direct tax (*tributum*) was paid at Athens.

*comply with the requisition assessed to those belonging to the class of knights, or of the *zeugitæ* (ἰππῖδα, and ἰππικὸν τελεῖν, *zeugisior* τελεῖν, εἰς ἰππῖδα τελεῖν)."* But mention is made also of *the requisition assessed to the thetes*, and of *their complying with the requisition assessed* (θητικὸν τέλος, θητικὸν τελεῖν),<sup>1</sup> and yet they certainly, even according to Pollux, paid no tax. The payment of a tax upon the person at a definite valuation, required of those in Potidæa who were destitute of property,<sup>2</sup> was exacted by a regulation peculiar to that city, which applied only to the levies of extraordinary taxes. But the usage in relation to the above-mentioned expressions may be easily explained. For the same word, which signifies *assessment*, has also the general meaning of a rank or class, and the phrase which signifies *to comply with the requisition assessed*, means also merely belonging to a class.<sup>3</sup> Besides, the compliance with the requisition assessed (τελεῖν τὸ τέλος) does not mean the payment of a definite regular tax, but the fulfilment of all those duties, which were assigned to a particular class of persons thus arranged upon the basis of the assessment of their property. For example, military service, and the liturgiæ, together with the payment of the extraordinary property tax, were duties of that nature. Xenophon<sup>4</sup> enumerates all the services requiring an expenditure of money which the state demanded

<sup>1</sup> See concerning these expressions, to pass over the grammarians, Demosthenes ag. Timocr. p. 745, 13; Isæus concern. the Estate of Apollod. p. 185; an ancient law in Demosthenes ag. Macart. p. 1067, 28; Inscript. in Pollux, VIII. 131; Dinarch. ag. Aristog. p. 86; and various other authors.

<sup>2</sup> Œcon. ascribed to Aristot. II. 2, 5, Schneid.

<sup>3</sup> Hence ἐς ἀνδρας τελεῖν, ἐς Βοιωτοὺς τελεῖν in the same sense. Herodot. VI. 108. Hence τέλος of a division of troops, particularly of cavalry. There is the same usage in the Latin language in relation to the word *censeri*, as in Greek to the word *τελεῖν*.

<sup>4</sup> Œcon. 2, 6, ἐτι δὲ καὶ τὴν πόλιν αἰσθάνομαι τὰ μὲν ἡδὴ σοι προστάτουσιν μεγάλα τελεῖν ἰπποτροφίας τε (for the cavalry at the festivals) καὶ χορηγίας καὶ γυμνασιαρχίας καὶ προστατείας (an unintelligible expression, which cannot have reference to the relation sustained by those who were patrons to aliens under the protection of the state, but probably to the *εἰστιάσις*, which was also called *φυλαρχία*, Wolf on Lept. p. LXXXVIII.) ἦν δὲ δὴ πόλεμος γένηται, οἷδ' ὅτι καὶ τηρηρχίας μισθοὺς καὶ εἰσφορὰς τοσαύτας σοι προστάξουσιν, ὅσας σὺ οὐ ῥαδίως ὑποίσσεις. The idea expressed by τέλος was very correctly conceived by the author of the Lex. Seg. p. 308: τέλη: οὐ μόνον τὰ τοῖς τελώνας καταβαλλόμενα, ἀλλὰ καὶ τὰ ἀνὰ ὧματα. λαμβάνεται καὶ ἐπὶ ἀπηρτισμένῳ πράγματι ἢ ἔργῳ ἢ πόλέμῳ. Hence also the use of ἀτελής and ἀτέλεια in reference to the exemption from the performance of liturgiæ, and the usage in relation to the word πολυτέλης. Comp. Phot. on the word τέλος, and others.

of a citizen and by which he might be burdened; but he says nothing respecting a regular tax, although he uses an expression, which must have immediately reminded him of it, if such a tax was imposed. Only in case some passage occurred, in which the assessed tax was expressly opposed to the *liturgiæ*, and to the extraordinary tax, could the former be considered a regular tax. But I have in vain sought for such a passage. In the speech of Antiphon,<sup>1</sup> in which the payment of taxes (*κατατιθέσθαι τὸν φόρον*) is opposed to the choregia, a Mytilenæan is speaking of his father, who was one of those who were deprived of their lands. These persons paid indeed a tax to the Athenians in the form of rent, namely, two minas for each allotment of land,<sup>2</sup> but they performed *liturgiæ* for their own state. Plato, in his work on Laws, assigns as the reason for his fourfold division into classes in his proposed state, that the conferring of the executive offices, the imposition of taxes (*εἰσφοραί*), and the distributions to the people (*διαρομαί*) were to be regulated according to them. His *eisphora*, however, was not a tax established once for all, but it was certainly of a different nature from the Attic *eisphora*; for from the proceeds of it the ordinary expenditures of the state were to be defrayed. He mentions, in particular, the *eisphora* for the purposes of war, and connects it with the *liturgiæ*.<sup>3</sup> Finally, to what end Athens should in the more ancient periods of the state have raised an annual tax, since a part of the public revenues, namely, that received from the mines, was distributed among the citizens, it is difficult to perceive.

The imposition of a tax, therefore, according to the assessment of property, during the prevalence of Solon's institution of

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<sup>1</sup> On the Murder of Herod. p. 744, 'Ἐπεὶ δ' ὑμεῖς τοὺς αἰτίους τούτων ἐκολάσατε, ἐν οἷς οὐκ ἐφαίνετο ὡς ὁ ἐμὸς πατήρ, τοῖς δ' ἄλλοις Μυτιληναίοις ἄδειαν ἐδώκατε οἰκεῖν τὴν σφετέραν αὐτῶν (since they allowed them to retain possession of their lands, requiring the payment of a rent for the same) οὐκ ἔστιν ὃ, τι ὕστερον αὐτῷ ἡμάρτηται τῷ ἐμῷ πατρί, οὐδ' ὃ, τι οὐ πεποιήται τῶν δεόντων, οὐδ' ἡστίος λειτουργίας ἢ πόλις ἐνδείη γεγένηται οὔτε ἡ ὑμετέρα (for thus it is to be read) οὔτε ἡ Μυτιληναίων, ἀλλὰ καὶ χορηγίας ἐχορήγει (in the Mytilenæan state, the citizens of which were cleruchi) καὶ τέλη κατετίθει (to the Athenians).

<sup>2</sup> See Book III. 18; respecting the person to whom reference is made, comp. Book III. 16, note 1, p. 525, of the present work.

<sup>3</sup> On Laws, XII. p. 949, C, with respect to what is last mentioned. Respecting the other particulars, see Book III. 1, of the present work.

classes, can be assumed to have occurred only upon extremely rare occasions. The regulation of taxation was only a secondary object of this arrangement of the citizens. The principal objects, to which it was applied, were the regulation of the obligation to military service, and of the performance of the *liturgiæ*, and the adjustment of the rights of the citizens to participate in the executive offices of the government. But in order that it may be perceived in what manner the rate was determined upon those occasions, when a tax was levied, we must premise a remark upon the usage of the Greek language in relation to the word, which may be translated "*the appraised valuation*" (*Schatzungsanschlag*, *τίμημα*). Usage connected very different significations with this word. Every estimate of the value of any thing was so called; for example, the estimate of the value of a piece of property, the assessment of a fine, or of a tax, in short of every thing assessed or estimated. But a portion of the property of an individual, or of the individuals comprising a class, selected for the purpose of regulating the rate of a tax, might, with equal correctness, be so called. Solon assigned a definite assessed or appraised valuation, or *timêma*, to each of the classes, except the *thetes*. Even the classes themselves are called *timêmata* by Plato, and by all other writers who refer to them (*τίτταρα τιμήματα*). This assessed valuation, which we will call the taxable capital, is not absolutely identical with the estimated value of the property, and is very different from the tax itself. The grammarians had formed no idea of the *timêma*, as taxable capital. For as some of them confounded it with the estimated value of the property itself, so Pollux considered it the tax, and thus fell into an egregious error.<sup>1</sup> We can derive no rational conception from Solon's arrangement of the classes in relation to direct taxation, unless it be contemplated from this point of view. Then we perceive his wisdom. Solon esti-

<sup>1</sup> Parreidt, *Disput. de Symmor.* p. 12 seq. (comp. p. 16) is of the opinion that Pollux intended to be understood just as I represent the matter, and Schömann, *Ant. Jur. Publ. Gr.* p. 322, concurs with him. I might here again say, as in a former part of the work in relation to Polybius, "so much the better." But I cannot satisfy myself that *ἀναλίσκειν εἰς τὸ δημόσιον* has the same meaning as "to declare or cause to be registered one's taxable capital." The expression compared with it, *εἰσφέρειν*, which Demosthenes certainly employed in reference to the taxable capital itself, (see Chap. 7 and 10



mated the value of the medimnus at a drachma.<sup>1</sup> Now if he had wished to ascertain the value of the landed property of each class from the amount of its produce, he would have been obliged to consider the number of medimni of grain, or of the measures of liquid products assumed to be equivalent to them, which were gathered from the property, as the interest of the capital invested in the land. But in so doing he must have taken only the net produce which the tenant delivered, as rent, for his guide. We must consider those 500, 300, 150 measures as that amount of net produce, adopted from the analogy of the proceeds yielded by a piece of landed property as rent. But that rent was paid in kind, not in money, will surprise no one. This practice is found to have been frequent even in later periods, and it could not have been otherwise in the time of Solon, on account of the small quantity of money in circulation.

But to what portion of the property could Solon have considered this net produce equivalent? We learn that in ancient times lands were leased at a low rent. Even in Isæus we read of the letting of a piece of landed property at a rent of eight per cent. on its value.<sup>2</sup> Not without reason, therefore, may we assume, that Solon, whose design it must have been to promote cheapness of rent, intended that the net produce should be considered the twelfth part, or  $8\frac{1}{3}$  per cent. of the value of the landed property, and, in accordance with that estimate, he rated the property of a pentacosimedimnus at a talent, that is, at twelve times the amount of his income. According to this computation the value of the landed property of a knight amounted to 3,600, of a zeugites to eighteen hundred drachmas. But Solon rated the taxable capital of a knight at only three thousand, of the zeugites at only one thousand drachmas. Very justly; for the smaller the income of a citizen, the less in proportion should the state take from an equally large part of it, compared with the higher income of another citizen. For every citizen must first obtain a maintenance for himself and his family, and the poor

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of the present Book) might also well be used in relation to the declaration of the amount of one's taxable capital, or of its registration in the tax register. But how far from that is the phrase *ἀναλίσκειν εἰς τὸ δημόσιον*!

<sup>1</sup> Plutarch, Solon, 23.

<sup>2</sup> Book I. 24, of the present work.

man compared with his richer neighbor suffers, if he is taxed in the same proportion, and at the same rate. This principle, so consistent with the character of Solon, the humane legislator, might in two methods have been carried into effect; either by the lower class paying a smaller portion of their property than the higher; for example, the first one third, the second one fourth, the third one fifth per cent., or by the taxable capital being so rated, that only a part of the property of the lower classes should be considered taxable. The first method is of difficult management, the second is much the more judicious. The government of the state knows what is the sum total of the whole taxable capital of the country, and its own wants, and can at a single survey determine what portion of the taxable capital is to be demanded. This arrangement seems to have constantly prevailed at Athens after its introduction by Solon. The whole of the productive landed property of the pentacosiedimnus was, according to Solon's arrangement of the classes, entered in the tax register; five sixths of the knights', and five ninths of that of the zeugites. But they all paid the same part of their taxable capital when a tax was levied. Suppose that the whole amount of the assessment, or the sum total of the taxable capital was three thousand talents, and the state needed sixty talents, a fiftieth of the whole amount then would have to be raised, and the apportionment would be made in the manner shown in the following table:—

CLASS.	Incomes.	Landed Property.	Taxable Capital.	Tax of 1-50.
Pentacos.	500 drachm.	6,000 drachm.	6,000 drachm.	120 drachm.
Knights.	300 drachm.	3,600 drachm.	3,000 drachm.	60 drachm.
Zeugitæ.	150 drachm.	1,800 drachm.	1,000 drachm.	20 drachm.

A more appropriate apportionment is hardly conceivable. Moreover, we may suppose, and indeed it is probable, that there was a difference in the tax of individuals belonging to one and the same class, according to the difference in the amount of their property, but that the arrangement was such, that in every class the taxable capital was determined according to the same proportion.

This will be illustrated by the following table : —

CLASS.	Income.	Landed Prop- erty.	Of which was taxable.	Taxable Cap- ital.	Tax of 1-50.
Pentacos- iomedimni.	1000 dr.	12,000 dr.	The whole.	12,000 dr.	240 dr.
	750 dr.	9,000 dr.	The whole.	9,000 dr.	180 dr.
	500 dr.	6,000 dr.	The whole.	6,000 dr.	120 dr.
Knights.	450 dr.	5,400 dr.	Five sixths.	4,500 dr.	90 dr.
	400 dr.	4,800 dr.	Five sixths.	4,000 dr.	80 dr.
	300 dr.	3,600 dr.	Five sixths.	3,000 dr.	60 dr.
Zeugitæ.	250 dr.	3,000 dr.	Five ninths.	1,666 $\frac{2}{3}$ dr.	33 $\frac{1}{3}$ dr.
	200 dr.	2,400 dr.	Five ninths.	1,333 $\frac{1}{3}$ dr.	26 $\frac{2}{3}$ dr.
	150 dr.	1,800 dr.	Five ninths.	1,000 dr.	20 dr.

Solon's regulations in relation to the classes were applied only to productive land. But when the property taxes in the Peloponnesian war were frequently levied, it became impossible to tax the landholders exclusively, especially since that very class of citizens were, during that period, in the greatest distress. At the same time the original rates were, because of the increase of wealth, no longer appropriate. Only in relation to a method of taxation, which included movable property also, is that threat in the knights of Aristophanes<sup>1</sup> applicable; namely, that the name of a certain person should be enrolled in the tax register among the names of the rich, in order that he might be ruined by the property taxes. And that proposition of Euripides made about Olymp. 96,  $\frac{3}{4}$  (B. C. 393), to raise five hundred talents by levying a tax of a fortieth, is conceivable only upon the supposition of a taxable capital, which, not only at the same time comprised the movable property, but also in relation to which the rates of the classes were entirely changed. For according to the rates established by Solon, twenty thousand citizens must, upon the supposition of a taxable capital of so high an amount as that proposal indicates, have each severally possessed landed property almost equivalent to that of a pentacosio-medimnus. On the other hand, this taxable capital might easily have amounted to that sum, if adding together the whole of the movable and immovable property of the citizens, the ratable portion of it was taken according to the principles of Solon.

<sup>1</sup> Vs. 923.

The ancient names of the classes, however, were retained. Not only in Olymp. 88, 1 (B. C. 428),<sup>1</sup> when the tax designated by Thucydides as the first one levied was imposed, but still later, we find pentacosimedimni, and knights mentioned as ranks. In the Knights of Aristophanes (Olymp. 88, 4, B. C. 425) the latter personate the part of a class of the people, not of mere cavalry, which they were in the time of Demosthenes. The mention of knights in Xenophon in relation to Olymp. 93,  $\frac{2}{3}$  (B. C. 406) may, it is true, be referred to those who were enrolled as cavalry, but may also have reference to the knights as a class.<sup>2</sup> It cannot be shown with certainty, so far as my information extends, that these classes existed without any material change in the arrangement after the archonship of Euclid (Olymp. 94, 2, B. C. 403). The pentacosimedimni mentioned by Lysias<sup>3</sup> might have been adduced as existing in the period before the archonship of Euclid. In Demosthenes<sup>4</sup> the four classes are mentioned only in an ancient law, which might have still been in force in relation to *epicleri* (*ἐπίκληροι*), although all of those classes might not then have been in existence. The ancient law might have been interpreted and applied, as is customary in such cases, with reference to new arrangements.

But in favor of the supposition, that a designation of the classes similar to the one which Solon gave to them was continued, the passage in the speech of Isæus concerning the Estate of Apollodorus<sup>5</sup> may be adduced. In this passage it is said, that Apollodorus the adoptive father of the defendant "had not demeaned himself as Pronapes had done; namely, reported only a small assessment, and yet, as if he had complied with the requisition assessed to a knight laid claim to the higher offices of government." For Pronapes was living at the time when that speech was delivered, about Olymp. 106 (B. C. 356). But since no trace of the names given by Solon ever occurs upon any occasion of the levying of the property tax, as it was regulated

<sup>1</sup> In Thuc. III. 16, the above-named classes are mentioned in reference to this year.

<sup>2</sup> Xenoph. Hell. I. 6, 24. Schm. Comp. in relation to the interpretation of this passage, Thuc. ut sup.

<sup>3</sup> Harpoer. on the word *πεντακοσιοι*.

<sup>4</sup> Ag. Macart. p. 1067 seq.

<sup>5</sup> Concern. the Estate of Apollod. p. 185. *καὶ μὴν καὶ αὐτὸς Ἀπολλόδορος οὐχ' ὥσπερ Προνάπης, ἀπεγράψατο μὲν τίμημα μικρόν, ὥς ἵππαδα δὲ τελῶν ἀρχεῖν ἤξιον τὰς ἀρχάς.* Comp. in reference to Pronapes, p. 171, and in reference to the date of the speech Schömann.



after the archonship of Nausinicus, and particularly in relation to the distinctions in taxation, and to the institution of the *symmoriae*, I cannot convince myself, that they were in that period fully in use. But the census of one of the new classes might in common life have been considered and designated as the census of the knights, because, according to it, the right to perform military service among the cavalry and some other particulars were regulated.<sup>1</sup> Moreover, there is still another difficulty in this passage, namely, the indication that to be assessed as a knight was requisite to entitle one to become a candidate for the higher offices of government. It seems not inappropriate to introduce here some remarks upon this point. The manner of electing the higher officers of the state, namely of the archons specially so called, was in the course of time and with the increase of freedom and equality, frequently altered. The hereditary regal government was, after the time of Codrus, only so far changed into that of the archonship, that the king was made responsible (*ὑπεύθυνος*).<sup>2</sup> In other particulars unchanged, the regal dignity, transmitted to Medon the son of Codrus, continued hereditary in the royal family of the Nelidæ or Codridæ. It appears, that in general, with particular exceptions for special reasons, there was not a selection made of an individual from the family to fill

<sup>1</sup> Sievers, *Gesch. Griechenlands vom Ende des Pelop. Krieges*, p. 96, thinks, that he finds the *ἵππεις* mentioned as a class designated according to property, and perhaps the *ζευγίται* also, in a Panathenæan inscription of the time of the Ptolemies, contained in Wordsworth's *Athens and Attica*, p. 160. This inscription is the same which has been published from Ross's transcript by Frantz, in the *Archæol. Int. Bl. der A. L. Z.* 1835, No. 3. The contests of the Athenian *ἵππεις* are in it mentioned, together with the *phylarchi*, and it is therefore manifest, that we are to understand not the knights, as a class designated according to property, but as cavalry, at the head of whom were the *phylarchi*. The same is the case in relation to the mention of the *ἵππεις* in an inscription of the same kind, and of the same age, which I published in the *Annali dell. Inst. di corrisp. Archæol.* Vol. I. (1829), p. 157 sqq.; see the same, p. 159. The case would be altered, if the completion of Wordsworth in the first-mentioned inscription, namely [*ἐκ τῶν ζευγίται*], was correct. But it is not, and instead of it [*ἐκ τῶν πολίται*] is to be written. This is evident from the transcript of Ross, line 21, from the inscription in the *Annali*, p. 161, line 56, in which *ἐκ τῶν πολιτικῶν* stands instead of the above-mentioned expression, and from another entirely similar inscription in Pittakis, *l'anc. Ath.* p. 106, in which the expression is [*ἐκ τῶν πολιτῶν ἀνάμεικτον*]. In Xenophon's *Hipparch.* 9. 3, τὸ ἵππικὸν τελεῖν does not signify "to comply with the requisition assessed to a knight," but instead of performing military service among the cavalry, according to the obligation imposed by law, to pay a sum of money as a commutation for the same, and thus become exempt.

<sup>2</sup> Pausan. IV. 5.

the regal dignity, but the succession was hereditary, and these archons during life were, even by ancient authors themselves, frequently called kings. The next step taken was to limit the term of the highest archonship to ten years, but the dignity continued, however, in the ancient royal family until Eryxias, the last of the Medontidæ. With this step election from the members of the family entitled to that dignity must have been of necessity connected. From that period onward the assertion of the fact, which the orator in his speech against Neæra<sup>1</sup> refers back to the age of Theseus, may with certainty, and in general be made, namely, that the people elected the king (or rather the archon) by cheirotonia from the most illustrious, or select for their virtue (*ἐκ προκρίτων κατ' ἀνδραγαθίαν*). The nine annual archons which succeeded were elected by cheirotonia from the nobility, who also comprised the ancient royal family.<sup>2</sup> In the succession of this family Solon the Codrides,<sup>3</sup> and his colleagues are to be considered the last. But, according to the political constitution of Solon, as the Pseudo-Aristotle,<sup>4</sup> and other authors inform us, the higher executive offices of the state were no longer attainable by the nobility alone, but were also accessible to all citizens, the assessment of whose property was of a certain amount; and the thetes were excluded. The candidates were invested with these offices by election (*αἵρεσις*),<sup>5</sup> which is identical with cheirotonia. Undoubtedly, however, as must be inferred from the method of creating them which succeeded, the nine archons were elected only from the pentacosiomedimni. Probably Cleisthenes left the qualification required for holding the office unchanged, but altered the method of creating the archons by election, and substituted the democratic method by lot. Thus, for example, when Aristides was invested with this dignity (Olymp. 72, 4, B. C. 489), the nine archons were designated by lot from the pentacosiomedimni.<sup>6</sup> Hence the questions at the ana-

<sup>1</sup> P. 1370, 16.

<sup>2</sup> *Ἡρέθησαν* ἐξ Εἰπατριδῶν, Euseb. Chron. p. 41. Scal.

<sup>3</sup> *Ἡρέθθη* ἀρχῶν, Plutarch, Solon, 14. *Αἵρεσθαι* is in correct usage opposed to the designating by lot.

<sup>4</sup> Polit. II. 9, 4. Schm. (12 Bekk.)

<sup>5</sup> The same.

<sup>6</sup> Plutarch, Aristid. 1. The polemarch also in the battle of Marathon, Callimachus, is expressly called by Herodotus (VI. 109) *κνᾶμω λαχὼν*. On the other hand, Pausan. (I. 15) incorrectly uses in reference to him the expression *ἡρητο*.

crisis of the nine archons, and, in general, of the candidates for all the higher executive offices of the state, whether the candidate *had the required timêma*, whether he paid the taxes;<sup>1</sup> that is, again, whether his name was enrolled in the register of the class to which candidates for the office were required to belong, whether he performed liturgiæ, and paid the extraordinary taxes when they were levied. So also, for example, the treasurers of the goddess and those of the other deities were required to be pentacosimedimni.<sup>2</sup> Finally, Aristides, after the battle of Plataea, gave to all the Athenians, without distinction of property, the right, which they had acquired in battle with their blood, of eligibility to the higher executive offices of the state.<sup>3</sup> The designation of the candidates selected, however, was constantly made by lot. Dinarchus speaks of the question in relation to the payment of taxes (*εἰ τὰ τέλη τελεῖ*) in such general terms, that it cannot clearly be perceived, whether it was still, in his time, in reality asked; and in the speech of Demosthenes against Eubulides, at least, the mention of it does not occur. This, it is true, is not sufficient proof, that the question was not asked in the time of Demosthenes; since the mention of it might, consistently with the object of the orator, in that speech have been omitted.<sup>4</sup> Theogenes, noble by birth but poor, was king-archon in the age of Demosthenes.<sup>5</sup> Finally, the needy and infirm man (*ἀδύνατος*), in Lysias, who requested from the state the support allowed to the poor, and who by the entire representation of his circumstances sufficiently shows that he belonged to the lowest class of the indigent;<sup>6</sup> this man asserted, nevertheless, that if he had not a defective body, his opponents would not be able to

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<sup>1</sup> *Εἰ τό τίμημά ἐστιν αὐτῷ, εἰ τὰ τέλη τελεῖ*, Pollux, VIII. 86. Lex. Rhet. appended to the English edition of Photius, p. 670. Dinarch. ag. Aristog. p. 86. In p. 87, he manifestly designates the extraordinary tax (*εἰσφορὰ*) as a *τέλος*. Military service is in this passage excepted from the *τέλος*, and on account of its importance particular inquiry is stated to have been made concerning its performance. This cannot surprise, since the *τέλος* of itself only determined the kind of arms, which should be borne, but from it it could not be perceived, whether a person had actually served in the field, or not.

<sup>2</sup> Book II. 5.

<sup>3</sup> Plutarch, Aristid. 22. In this passage the expression *ἀλπεῖσθαι* is not correctly used in reference to the persons mentioned.

<sup>4</sup> P. 1319, 20 sqq.

<sup>5</sup> Speech ag. Neæra, p. 1369, 16.

<sup>6</sup> See Lysias *περὶ τοῦ ἀδύνου*. p. 743 sqq.

hinder him from taking his chance in the drawing of lots for the purpose of designating the persons who should be invested with the dignity of the nine archonships. He bewails his fate, because the infirmity of his body, which was an obstacle to his becoming a candidate for the dignity of the archonship, not the want of property, prevented his attaining the highest preferences.<sup>1</sup> Accordingly we can refer the statement of Isæus to such offices only, as those of the treasurers. For the holding of such offices it was requisite, as was reasonable, that the assessments of the candidates should be of a certain amount, in order that the state might have a pledge of their fidelity.<sup>2</sup> Moreover, it may be conceded, that the question whether the candidate designated by lot paid the taxes, was certainly asked even after the time of Aristides, but only so far as the candidate was bound to pay taxes. It had no application to those, whose property was of so small an amount that they were not required to pay taxes.

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<sup>1</sup> P. 749. *καίτοι εἰ τοῦτο πείσει τινὰς ὑμῶν, ὃ βουλῇ, τί με κωλύει κληροῦσθαι τῶν ἐννέα ἀρχόντων;* and subsequently p. 750, *οὐ γὰρ δῆπου τὸν αὐτὸν ὑμεῖς μὲν ὡς δυνάμενον ἀφαιρήσεσθε τὸ διδόμενον, οἱ δὲ (his opponents) ὡς ἀδύνατον ὄντα κληροῦσθαι κωλύουσιν.* P. 756. *ἐπειδὴ γάρ, ὃ βουλῇ, τῶν μεγίστων ἀρχῶν ὁ δαίμων ἀπεστέρησεν ἡμᾶς,* and subsequently *πῶς οὖν οὐκ ἂν δειλαιότατος εἴην, εἰ τῶν μὲν καλλίστων καὶ μεγίστων διὰ τὴν συμφορὰν ἀπεστερημένος, εἴην.* Petit (III. 2), where he treats of the law in relation to the anacrisis of the archons (p. 239 sqq. of the old ed.) informs us, that it was requisite, that the candidate for the dignity of the archonship should possess a body without defect, of course, on account of the duty, pertaining to the office, of offering sacrifices. But it is singular, that he did not perceive, that after the time of Aristides any person of any class, arranged upon the basis of property, might become archon, and that he imagined that the law of Aristides had been abrogated.

<sup>2</sup> I must here mention something in addition from Hermogenes in reference to the eligibility to the higher executive offices of the state, so far as it depended upon the assessment of the candidate. Hermogenes says (*τεχν. ῥήτορ.* p. 35): *πρεσβεύοντος τοῦ πέννιτος ὁ πλούσιος ἐχθρὸς ὧν εἰσὶν ἐγκε νόμον τὸν εἶσω πέντε ταλάντων οὐσίαν κεκτημένον μὴ πολυτεύεσθαι μηδὲ λέγειν.* From this the rhetorician then draws a further inference. See again p. 36, and the passages of Marcellinus in Meursius, F. A. IV. which have reference to the same. This expression Meursius has referred to Athens, and converted into an historical fact. But it is manifestly a fictitious case, supposed by Hermogenes. And even if it had been suggested to him by some historical fact, no use can be made of it, because neither time nor place can be assigned to it.



## CHAPTER VI.

REGISTERS OF ASSESSMENTS. REGISTERS OF LANDED PROPERTY.  
GENERAL REGISTER OF PROPERTY.

FOR the purpose of assessment it was the custom in Greece, as it was in the Persian kingdom and in Egypt, to keep public registers (*ἀπογραφὰς*). These were in different places prepared according to different principles.

In Athens the custom was for each person to assess his own property, and the assessment thus made was doubtless subject, as in Potidæa, to a subsequent corrective assessment (*ἐποτίμῃσις*).<sup>1</sup> In the more ancient times, as Isocrates<sup>2</sup> informs us respecting the period of his boyhood, about the commencement of the Peloponnesian war, there was not much reason to apprehend, that any person would give too low a statement of the amount of his property, because every one was pleased to appear wealthy. On the other hand, at the date when he wrote the speech on the exchange of property, (Olymp. 106, 3, B. C. 354) the appearance of possessing wealth was the occasion of great losses, and notwithstanding the concealment of one's property might cause the privation of all one's possessions, many persons gave as low a statement of the amount of their property as possible. But, as the property of individuals is subject to the vicissitudes of fortune, it frequently became necessary to translate citizens from one class to another. Hence, in some states, annually, in the larger states every two or four years, a new assessment was made,<sup>3</sup> and individuals were in accordance with it translated from one class to another (*ἢ ἀνασύνταξις*).<sup>4</sup> Moreover, the whole amount of property

<sup>1</sup> See, respecting this expression, Schneider on Aristot. *Œcon.* II. 2, 5.

<sup>2</sup> Isocr. on the Exch. of Prop., p. 85 seq. Orell.

<sup>3</sup> Aristot. *Polit.* V. 7, 6, Schn. (8).

<sup>4</sup> It was so called, according to Suidas, in relation to the Athenian symmoriæ. *Comp. Lex. Seg.* p. 184, 31 (in this passage the emendation *διὰ τῶν διαγραμμάτων*, or a similar one, is to be made). Zonaras, p. 182. Harpocration, Suidas, and Zonaras, (p. 205,) on the word *ἀνασυντάξις*; the latter quotes from the speech of Hyperides *κατὰ Πολυεύκτου*

possessed by the people may change, and, in consequence, the rates of the classes themselves, and the entire division into classes may become inappropriate, particularly if the quantity of money in circulation is increased, and it therefore becomes cheaper. For this reason Aristotle directs, that the amount of the entire assessment of the people (*τὸ πλῆθος τοῦ κοινοῦ τιμῆματος*) should be compared with the rates of the classes, and the latter be corrected according to the former.

Finally, merely the landed property, and even only the productive land, as in relation to the classes of Solon, or the entire property, was assessed for the purpose of taxation, and consequently only a register of lands, or a general register of property was prepared. Plato, in his work on Laws, expresses the opinion,<sup>1</sup> that both should be prepared; in the first place, a list of all the separate portions of landed property, and then a special list of all the other property. The Athenians kept, beside the register of lands, a general register of property. The former was the more ancient, and must, at the latest, have been introduced together with the political constitution of Solon. Neither in Athens, nor in Plato's plan of a state, did this register of lands have the same object as our registers of mortgages. For it cannot be shown, that at Athens an account of the debts secured upon landed property was entered in a public book, but the creditor, if he wished it, was secured by means of the pillars or tablets set up in front of the mortgaged property. It can be shown in the special case of the island of Chios alone, that registers of debts were kept in what may be called the middle ages of antiquity,<sup>2</sup> although, according to Theophrastus,<sup>3</sup> they seem to have been in common use in several places, and we find mention of them, at least at a later date in relation to Aphrodisias.<sup>4</sup> There could have been no occasion for entering the landed property of the state in the register of lands. On the contrary, a

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(on the Diagram.). But the explanation of *ἀνασυντάξας* by the grammarians is whimsical.

<sup>1</sup> V. p. 741 C.; p. 745 a.

<sup>2</sup> Aristot. *Œcon.* II. 2, 12.

<sup>3</sup> In Stob. *Serm.* XLIV. 22, p. 202, Gaisf.

<sup>4</sup> C. I. Gr. Vol. II. p. 537 seq. This *χρεωφυλάκτιον* is frequently mentioned in the inscriptions of Aphrodisias, as well in those which are upon p. 537 sqq., as in those which are appended in the Add.

statement of the landed property of other communities, for example, of the tribal districts (*δῆμοι*), and at least of those temples which had no relation to the state, but were connected with smaller communities, must have been contained in that register. For the landed property of subordinate communities, at least in the periods subsequent to the archonship of Euclid, and certainly about Olymp. 108, 4 (B. C. 345), was, when extraordinary taxes were imposed, taxable according to its proper rate.<sup>1</sup> In the landed property of the state were included in a certain measure the mines, which were corporeal leasehold hereditaments: and consequently they also could not be entered in the register of lands.

This register, before the time of Cleisthenes, was prepared and kept in custody, probably, by the forty-eight naucrari, to whom is ascribed the collection of the taxes (*εἰσφορᾷ*),<sup>2</sup> that is of the assessed taxes on those rare occasions, when they were raised in ancient Athens. When the demarchi were substituted in their stead the former made the lists of landed property in every district.<sup>3</sup> From a false reading in the scholiast of Aristophanes, which inserts the word *debts* instead of *landed property*, it might appear, it is true, that the demarchi entered in the lists the former, and not the latter. But beside this passage we have no information from any source, that registers of debts were kept in the districts. And if the demarchus, as a police-officer, in case

<sup>1</sup> Ἀπὸ τῶν χωρίων τοῦ τμήματος, C. I. Gr. No. 103. εἰσφορὰ ὑπὲρ τοῦ χωρίου εἰς τὴν πόλιν. No. 93, in Olymp. 108, 4 (B. C. 345).

<sup>2</sup> Hesych. on the word ναύκληροι: οἵτινες ἀφ' ἐκάστης χώρας τὰς εἰσφορὰς ἐξέλεγον. Ammon. on the word ναύκληροι καὶ ναύκραροι, and Thom. M. on the word ναύκραροι: οἱ εἰσπραττόμενοι τὰ δημόσια χρήματα ἢ κτήματα. Pollux, VIII. 108, mingles confusedly together his accounts of the demarchi and naucrari, and says without expressing which of the two descriptions of officers he means: τὰς δ' εἰσφορὰς τὰς κατὰ δήμους διεχειροτόνουν οὔτοι καὶ τὰ ἐξ αὐτῶν ἀναλώματα. It would seem that this, compared with what Hesychius says, is to be referred to the naucrari. It must be acknowledged, however, that all these accounts are very superficial, and may also be referred merely to the management of the money and property belonging to communities. Comp. Platner Beitr. zur Kenntniss des Att. Rechts. p. 220.

<sup>3</sup> Harpoer. on the word δήμαρχοι: οὔτοι δὲ τὰς ἀπογραφὰς ἐποιοῦντο τῶν ἐκάστω (read ἐν ἐκάστω) δήμῳ χωρίων. From him Suidas copied. He read τῶν προσόντων ἐκάστω δήμῳ χωρίων. He added προσόντων himself, because even in his manuscript ἐν was wanting. In Schol. Aristoph. Clouds, 37, the reading formerly was οἱ δὲ δήμαρχοι οὔτοι τὰς ἀπογραφὰς ἐποιοῦντο τῶν ἐν ἐκάστω δήμῳ χωρίων. This W. Dindorf has corrected by substituting from a manuscript χωρίων.

of failure of payment on the part of the mortgagors distrained, or put the mortgagees in possession of the mortgaged premises,<sup>1</sup> no inference in relation to the existence of registers of debts can be drawn from that circumstance. The demarchus had nothing to do with debts, except that he exacted the payment of debts due to the district,<sup>2</sup> and might be employed to collect money belonging to the state.<sup>3</sup>

At a later date the general register of property was introduced, and this was the basis of the assessment of Nausinicus. In this the concealment of property had freer scope than in the method of assessment established by Solon.<sup>4</sup> Beside lands and houses, productive capital and money lying unemployed, slaves, raw and manufactured products, cattle, household furniture, in short, all money or articles of value were assessed. One may be easily convinced of this fact by comparing the account of the estate left by the father of Demosthenes<sup>5</sup> with the estimate of the property, and the assessment of the son. From the nature of the case the property of the aliens under the protection of the state might have been entered in this register, although their names, with the exception of the proxeni and isoteleis, could have no place in a register of lands. But there was certainly always a separate register for them, just as when the symmoriæ in relation to the property tax were introduced the aliens under the protection of the state formed separate symmoriæ. For they were taxed at a different rate from that of the citizens.

The question deserves a particular consideration, in whose name the dowry of a married woman, or of a widow, was

<sup>1</sup> Harpocr. Suid. Hesych. Schol. Aristoph. Lex. Seg. p. 242.

<sup>2</sup> Book II. 3; III. 12.

<sup>3</sup> To this it may be added, that it is said to have been the duty of the demarchus to make an inventory of the property of the public debtors with reference to confiscation. Etym. on the word *δήμαρχος*: Ἀπεγράφετο τὰς οὐσίας ἐκάστῳ πρὸς τὰ δημόσια ὑφ' ἑλένηματα; comp. Lex. Seg. p. 237; Zonaras, p. 494. The latter author refers to Chrysippus. Lex. Seg. p. 119, on the word ἀπογράφειν, gives a fuller account: Τοῦ μὴ βουλομένου ἐκτίνα τὸ ὄφλημα, ὃ ὀφείλει, διπλοῦται τὸ ὄφλημα, καὶ ὁ δήμαρχος σὺν τοῖς βουλευταῖς τοῦτον εἰσπράττει καὶ ἀπογράφεται αὐτοῦ τὴν οὐσίαν καὶ ἐνεχυριάζει. καὶ τοῦτο καλεῖται ἀπογράφειν. It is well known, however, that this was also allowed to any other citizen, and the demarchus probably attended to it only when no other person undertook it.

<sup>4</sup> Comp., of many passages, only Isæus concern. the Estate of Apollodorus, p. 187; concern. the Est. of Dicaeog. p. 110, 111; Æschin. ag. Timarch. p. 117.

<sup>5</sup> Demosth. ag. Aphob. I. p. 816. In reference to slaves, comp. Isocr. Trapez. 25. With respect to cattle the fact is self-evident.



entered in the register of property, and who paid the taxes on it. It comprised a considerable part of the movable property. It amounted, even in the case of poor people, to ten, twenty, twenty-five minas, not unfrequently to thirty, the sum given by the state to the daughters of Aristides, and even to forty, fifty, sixty, eighty, one hundred, one hundred and twenty minas.<sup>1</sup> The daughter of Hipponicus received ten talents immediately upon her marriage, and ten more were promised her. But, according to Demosthenes,<sup>2</sup> an Athenian did not often give five talents as dowry. Pasion's widow, however, asserted that she brought this sum to Phormio. Dowries of five, or ten, or more talents, mentioned in Lucian<sup>3</sup> and in the comic authors, must be ascribed to the liberality of comic license. If now we consider, that generally the husband was obliged to give security for the dowry, when it was delivered to him, by a mortgage of a piece of property,<sup>4</sup> and that the person who held the mortgage used to receive the income from the property; we might suppose, that not the husband, but the relative who endowed the wife, paid the taxes on the dowry. But this view of the subject is untenable. The husband received the dowry for the very reason that of it he might have the usufruct. If it was not put into his possession, he received the interest accruing.<sup>5</sup> If he secured it by a mortgage of a piece of property, the proceeds of the dowry must have belonged to him, and he, therefore, must have paid the taxes on it. This view is confirmed by the accounts which are given of the relation of the dowry to the property of the son. If the mother, after the death of the father, lived in the house with her son, the dowry, according to law, in case the exchange of property took place, followed the property of the son:<sup>6</sup>

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<sup>1</sup> Isæus concern. the Est. of Ciron, p. 129; concern. the Est. of Hagn. p. 292; concern. the Est. of Menecl. p. 212, 213, Orell; Letters of Plato, XIII. p. 361, E; speech ag. Neæra, p. 1362, 9; Lysias, Apol. in behalf of Mantith. p. 116; Demosth. ag. Spud. p. 1029, 24; Isæus concern. the Est. of Dicæog. 104; Lysias ag. Diogeit. p. 896, 897; Demosth. ag. Aphob. I. p. 814 sqq.; ag. Onetor, I. II. in several passages; ag. Bæot. concern. the Dowry, p. 1015, 23; ag. Aphob. I. p. 834, 13; II. p. 840, 12 sqq. Respecting the daughters of Aristides, see Book II. 18.

<sup>2</sup> Ag. Stephanus, p. 1110, 4; p. 1124, 2; p. 1112, 19.

<sup>3</sup> Dial. Meretr. 4. In Plautus, Cist. II. 3, 19, twenty talents.

<sup>4</sup> Harpocr. on the word ἀποτίμημα; Lex. Seg. p. 201. Comp. C. I. Gr. No. 530.

<sup>5</sup> Demosth. ag. Onetor, I. p. 866, 4.

<sup>6</sup> Speech ag. Phænipp. p. 1047, 10-15.

consequently it belonged to the taxable property of the son. Accordingly, in the estimate of the property of Demosthenes, amounting to fifteen talents, from which his assessment was determined, the dowry of his mother was included.<sup>1</sup>

## CHAPTER VII.

### THE ASSESSMENT IN THE ARCHONSHIP OF NAUSINICUS.

AFTER these remarks upon the different registers of property, we come to the consideration of the new assessment made in Olymp. 100, 3 (B. C. 378) in the archonship of Nausinicus. This is one of the main points in the Athenian system of taxation, but yet only an obscure, unconnected tradition in relation to it has reached us. But when the accounts which have been preserved, and which may not perhaps at first appear connected, are united, it may, nevertheless, admit of historical elucidation.

At the commencement of the investigation, we will adduce a passage from the speeches against Aphobus. In this passage Demosthenes, for the purpose of proving that his father had left him a considerable amount of property, speaks as follows: "My guardians appointed, that five hundred drachmas for every twenty-five minas should be reported to the symmoria, as the rate of my assessment; as much as was reported by Timotheus the son of Conon, and those whose assessments were the highest." This assertion, in language somewhat concise and less accurate, is in these speeches frequently repeated.<sup>2</sup> It

<sup>1</sup> See Chap. 3, of the present Book.

<sup>2</sup> Ag. Aphob. I. p. 815, 10. Εἰς γὰρ τὴν συμμορίαν ὑπὲρ ἐμοῦ συνετάξαντο κατὰ τὰς πέντε καὶ εἴκοσι μνᾶς πεντακοσίας δραχμὰς εἰσφέρειν, ὅσον περ Τιμόθεος ὁ Κόνωνος καὶ οἱ τὰ μέγιστα κεκτημένοι τιμήματα εἰσφέρων. II. p. 836, 25. Ἐτι δὲ καὶ αὐτὸς Ἀφοῖβος μετὰ τῶν συνεπιτρόπων τῇ πόλει τὸ πλῆθος τῶν καταλειφθέντων χρημάτων ἐμφανὲς ἐποίησαν, ἡγγιμῶνα μὲ τῆς συμμορίας καταστήσας οὐκ ἐπὶ μικροῖς τιμήμασιν, ἀλλ' ἐπὶ τηλεκούτοις, ὥστε κατὰ τὰς πέντε καὶ εἴκοσι μνᾶς πεντακοσίας εἰσφέρειν. Ag. Aphob. on account of False Test. p. 862, 7. Ὅτι πεντεκαίδεκα ταλάντων οὐσίας μοι καταλειφθείσης τὸν μὲν

has, in consequence, been assumed, that the guardians of Demosthenes had paid as a property tax (*εἰσφορά*) the fifth part of his property, or also the fifth part of his annual income.<sup>1</sup> The former supposition might, from a superficial view, appear to follow from the passage; for the latter there is no foundation whatever. For the orator is speaking of the fifth part of the property, not of the income. But the date of the imposition of this tax has been supposed to be about the 103d Olympiad (B. C. 368); since the speeches against Aphobus were delivered in Olymp. 104, 1 (B. C. 364). But this conclusion is incorrect. Demosthenes speaks of the reporting of the rate of his assessment to the symmoria, as having been made by his guardians at a time when his property still amounted to fifteen talents. This could have been the case in the commencement only of their guardianship. If it had been made at a later date, they could not have reported so high a rate; since they gradually either squandered the property, or appropriated it to their own use. Moreover, Demosthenes was, as an orphan, during the ten years of his minority the leader of a symmoria,<sup>2</sup> and not indeed of a symmoria for the performance of the duties of the trierarchy, but for the payment of the property tax. For orphans did not perform the service of the trierarchy, and, in the second speech against Aphobus, he speaks expressly of having been leader of a symmoria for paying the property tax while he was under guardianship. Now the father of Demosthenes died when his son was seven years old. The son was born, according to the account in the Lives of the Ten Orators, and in Photius, in Olymp. 98, 4 (B. C. 385), in the archonship of Dexitheus; according to other accounts, in Olymp. 99, 4 (B. C. 381).<sup>3</sup> The date of his birth, however, is much disputed. Let us concede, in order not to enter here upon an investigation of this point, and although I am inclined to fix the date of his birth nearer the former than the latter year, that one

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*οἶκον οὐκ ἐμίσθωσε, δέκα δ' ἔτη μετὰ τῶν συνεπιτρόπων διαχειρίσας πρὸς μὲν τὴν συμμορίαν ὑπὲρ παιδὸς ὄντος ἐμοῦ πέντε μνᾶς συνετάξατ' εἰσφέρειν, ὅσον περ Τιμόθεος ὁ Κόνωνος καὶ οἱ τὰ μέγιστα κεκτημένοι τιμήματα εἰσέφερον· χρόνον δὲ τοσοῦτον τὰ χρήματα ταῦτα ἐπιτροπεύσας, ὑπὲρ ὧν τηλικαύτην αὐτὸς εἰσφορὰν ἤζωσεν εἰσφέρειν, etc.*

<sup>1</sup> Herald. VI. 1, 7; Wolf on Lept. p. XCIX. particularly note 80.

<sup>2</sup> Demosth. ag. Mid. p. 565, 12.

<sup>3</sup> Wolf, p. LXII. seq.

of the intermediate years is the correct date. Then the orphanage and guardianship of the son and the leadership of the symmoria for ten years commenced not long after the introduction of the assessment of Nausinicus, and to this assessment the assertion of Demosthenes has reference.

But who will believe, that, at that date, or at any time in any free state, a property tax of twenty per cent. was imposed? If the imposition of such a tax frequently occurred, the property of the citizens would in a short time be either entirely taken from them, or reduced to a very small amount. This result was effected by the imposition of taxes in Syracuse, during the reign of Dionysius, in five years.<sup>1</sup> Omitting other reasons, which the reader himself will be able to derive from the sequel, I observe only that, according to Demosthenes, the Athenians did not readily consent to the levying of a large property tax, and that an immense sum would have been received if a tax of the fifth part of the property had been raised. But, on the contrary, the tax imposed in the archonship of Nausinicus did not produce much more than three hundred talents.<sup>2</sup>

Nevertheless, the fifth part of the whole of the property of Demosthenes, namely, five hundred drachmas for every 2,500, was returned to the symmoria by his guardians (*εἰσέφερον εἰς τὴν συμμορίαν*). In reference to this occurrence, he also inaccurately uses the expression, simply *to contribute* or *to pay as a tax* (*εἰσφέρειν*).<sup>3</sup> The amount returned, however, was not the tax, but his taxable capital (*τίμημα*). "Of property of the value of fifteen talents," says he, "the taxable capital, or assessment, amounts to three talents. Such a tax did they think (my guardians for me), that they ought to return," namely, the appropriate sum for that amount of taxable capital.<sup>4</sup> The assessment (*τίμημα*) is here distinguished with precision from the property,

<sup>1</sup> Aristot. Polit. V. 9, 5, Schn. (11 Bekk.)

<sup>2</sup> Demosth. ag. Androt. p. 606, 27.

<sup>3</sup> Just as we sometimes say in common life in reference to sums of money, the verdict of a jury, an appraisement, or an assessment, etc., "to bring in," when we mean "to return or report." — Tr.

<sup>4</sup> This is evidently the meaning of the words in the speech ag. Aphob. I. p. 815, 26. *δῆλον μὲν τοίνυν καὶ ἐκ τούτων ἐστὶ τὸ πλῆθος τῆς οὐσίας. πεντεκαίδεκα ταλάντων γὰρ τρία τάλαντα τίμημα. ταύτην ἤξιον εἰσφέρειν τὴν εἰσφοράν.* To this passage the futile explanation in the grammarians has reference, that *τὸ ἐκ τῆς οὐσίας εἰσφερόμενον παρ' ἐκάστου* also was called *τίμημα*. This remark is found, for example, in Phot. p. 433.



but just as clearly from the tax. For what was the amount of the tax of Demosthenes? His guardians paid, according to their own account, during the ten years of their guardianship, eighteen minas for extraordinary taxes.<sup>1</sup> The taxes, therefore, of those ten years amounted altogether (not a single tax) to the tenth part of the assessment, or to the fiftieth part of the property.

In the assessment of Nausinicus there were, therefore, as this simple examination of the passages from Demosthenes shows, according to the model of the assessment of Solon, three things particularly noted, the property itself (*οὐσία*); the taxable part of it, or the assessment (*τίμημα*); finally, the tax determined according to the latter (*εἰσφορά* in the more limited sense). The estimate of the value of the property was obtained by an appraisal of all the movable and immovable articles, and portions of the same; the assessment or the taxable capital was only a certain part of this estimated or appraised value. In the highest class, it is true, to which Timotheus and Demosthenes belonged, it was the fifth part; but in the other classes it was a smaller portion. For Demosthenes expressly says, that those only whose assessment was the highest were assessed at the rate of five hundred drachmas for every twenty-five minas. Supposing, for example, that there were four classes, and that twenty-five minas was the lowest amount of property liable to taxation, (of which point I will specially treat in the sequel,) we will have an appropriate and not improbable gradation for the proportional alleviation of the burden of taxation to the less wealthy, if we assume, that for every twenty-five minas an individual in the fourth class reported two, in the third three, in the second four, in the first, as was certainly the case, five minas, or eight, twelve, sixteen, twenty per cent. as his assessment.<sup>2</sup> Moreover, those of the

<sup>1</sup> Ag. Aphob. I. p. 825, 7: *εἰσφορὰς δ' εἰσενηνοχέαι λογιζονται δυοῖν δεούσας εἴκοσι μῶς*. I remark, by the way, that, in speaking of the account rendered by his guardians, nothing is said by Demosthenes of the regular payment of an assessed tax (*τέλος*): a strong proof that no such tax was imposed at Athens.

<sup>2</sup> I must expressly state, that I assume four classes by way only of example and illustration. I have preferred the above gradation of the quotas  $\frac{5}{25} = \frac{1}{5}$ ,  $\frac{4}{25} = \frac{1}{6\frac{1}{4}}$ ,  $\frac{3}{25} = \frac{1}{8\frac{1}{3}}$ ,  $\frac{2}{25} = \frac{1}{12\frac{1}{2}}$ , to the one formerly selected by way of example ( $\frac{1}{5}$ ,  $\frac{1}{6}$ ,  $\frac{1}{8}$ ,  $\frac{1}{10}$ ), and I consider it also the correct gradation. Moreover, the differences between the two are not great.

same class who possessed different amounts of property, did not report each the same amount, as their assessment, but only the same part of their property. In the first class, for example, each individual reported five minas for every twenty-five which he possessed. The person who possessed fifteen talents, therefore, reported three, the one whose property amounted to twenty-five talents five, and the possessor of fifty talents, ten. For the reason, why the assessment of Demosthenes amounted to three talents was, because in the class to which he belonged the rule was, that for every twenty-five minas of property five should be reckoned as taxable capital. But of the taxable capital each person, whenever taxes were imposed, paid the same part. What part that should be could be easily determined; for the total amount of the assessments of all the citizens, which at that time was 5,750 talents, was known.

Let us assume, for example, that the lowest amount of property of individuals belonging to the third class was two talents, to the second class six talents, to the first class twelve talents; then when a tax of the twentieth was to be raised, the apportionment of it would be made in the manner shown by the following table.

Classes.	Property.	Taxable Portion.	Taxable Capital.	Property tax of one-twentieth.
First of 12 talents and over.	500 talents.	20 per cent.	100 talents.	5 tal'ts.
	100 "	" "	20 "	1 "
	50 "	" "	10 "	30 minas.
	15 "	" "	3 "	9 "
	12 "	" "	2 tal. 24 minas.	720 drach.
Second of six talents and over, under 12 talents.	11 talents.	16 per cent.	1 tal. 45 min. 60 dr.	528 dr.
	10 "	" "	1 tal. 36 min.	480 dr.
	8 "	" "	1 tal. 16 min. 80 dr.	384 dr.
	7 "	" "	1 tal. 7 min. 20 dr.	336 dr.
	6 "	" "	57 min. 60 dr.	288 dr.
Third of 2 talents and over, under 6 talents.	5 talents.	12 per cent.	36 minas.	180 dr.
	4 "	" "	28 min. 80 dr.	144 dr.
	3 "	" "	21 min. 60 dr.	108 dr.
	2½ "	" "	18 minas.	90 dr.
	2 "	" "	14 min. 40 dr.	72 dr.
Fourth of 25 minas and over, under two talents.	1½ talents.	8 per cent.	7 min. 20 dr.	36 dr.
	1 "	" "	4 min. 80 dr.	24 dr.
	45 minas.	" "	3 min. 60 dr.	18 dr.
	30 "	" "	2 min. 40 dr.	12 dr.
	25 "	" "	2 minas.	10 dr.

An arrangement such as this will not be considered too ingenious for a highly cultivated state. For since the commencement of the Peloponnesian war much experience might have been acquired in relation to the property taxes, and the bad condition of the finances could not be attributed to a want of political intelligence in the government or people, but to the efforts of the state to accomplish results beyond its ability, to the passions of individuals and of the multitude, which prevented the adoption or execution of wise measures, and to the rare exhibition of patriotic and disinterested zeal for the public welfare. But in the archonship of Nausinicus the best intentions were not wanting, with respect to either the external or internal relations of the state.

Those persons who are not satisfied with the bare knowledge of facts, but who also wish to investigate the reasons of them, will ask, why in this method of assessment, as in that of Solon, the whole amount of property possessed by individuals of the first class was not made the basis of the progressive taxes, but throughout only quotas of the same, and, indeed, for the highest class liable to taxation, the fifth part.

In answer to this question the first thought suggested might be to consider these quotas entered in the assessment-rolls as the highest sums which could be demanded in the extremest exigency.<sup>1</sup> But this view of the matter is not tenable. Demosthenes,<sup>2</sup> it is true, certainly calls the assessed capital of six thousand talents the main resource (*ἀπορροή*) of the state for carrying on war, boasts much of it, even compared with the gold of the king of Persia, and expresses the opinion, that the king's ancient countrymen who fought at Marathon best knew, that the Athenians would fight for their country, or for what was equivalent to it, and that, so long as Athens was victorious, she would not be in want of money. But his entire representation of this subject is much too general to warrant the inference, that he considered the assessed capital a resource, which could be completely exhausted, and which, indeed, could be employed at once, and not rather as a source, from which to draw as occasion re-

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<sup>1</sup> Parreidt as above cited, p. 15 sqq.

<sup>2</sup> Concern. the Symmor, p. 186.

quired. I have already just previously remarked, and I will soon again show, that the Athenians never once thought of property taxes of so large an amount. If they had wished to express the very highest sum in reference to the raising of the assessed taxes, they would never have gone so high as 5,750, or 6,000 talents, a sum which in the time of Demosthenes could hardly ever have been needed in a single year. Consider further, that during the administration of Lycurgus the annual revenues of the state amounted to about twelve hundred talents. About Olymp. 100 (B. C. 380) they were certainly less than that amount. But we will assume, that even at that date they amounted to so high a sum. Now who will believe, that it was ever considered possible to raise a tax five-fold the amount of the annual revenues of the state? Finally, the highest amount of a property tax must always have been less than the total amount of money in circulation; and it is not conceivable that in Attica there were more than six thousand talents of ready money in circulation. There must have been other reasons, therefore, for making quotas of the property, instead of the whole, the basis of the progressive taxes.

It cannot be supposed, that it was the intention to tax only the productive property. For beside the circumstance, that the larger quotas would have to be taken, it would not have been appropriate for a democracy to tax only the productive property, since it would be the wealthy, who would reap the benefit of the arrangement by being exempt from taxation in relation to many of their possessions. Also in that case it would have been a more simple and natural procedure not to have entered the unproductive property in the register.

I think that the following considerations will be much more satisfactory. In relation to the main object it was a matter of indifference, whether a smaller percentage was raised as tax from the whole property, or a higher one from a quota of the same. But it was the policy of the financier so to arrange the taxation, that it might have a plausible appearance. But it would have a more plausible appearance to say, that the whole property even of the rich should not be considered taxable, but only a part of it. The person who arranged that method of assessment which we have been considering, could certainly be confident that he could under this form more easily effect the adoption of his proposition. But the reason



why this or that definite part of the property was selected to be made taxable cannot properly be asked, because it was too much a matter of arbitrary choice. I think it probable, however, that the taxable capital of the lowest class was about equal to the annual proceeds of their property at a low estimate of the same. How satisfactory must it have been to those concerned to hear, that they were to pay taxes only upon the annual proceeds of their property! and commencing with a taxable capital of eight per cent. in relation to the lowest class, and increasing it for each higher class four per cent., as is done in the above table, the taxable capital for the highest class, supposing that there were four classes, would be just twenty per cent., or the fifth part of the property. The property tax would thus be similar to a progressive income tax, with the difference, that the assessed quotas of the highest classes exceeded their income, and that the income from labor was not taken into consideration. This tax, therefore, was not a pure income tax, but, as it were, composed of a property and income tax. But the new method of assessment retained the advantage above mentioned in reference to the method of Solon, namely, the facility of survey in determining the amount of the tax of individuals. For in the different classes different quotas of the property formed the taxable capital, and from this taxable capital the same percentage was raised in all the classes.

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## CHAPTER VIII.

WHAT PART OF THE ASSESSMENT AND OF THE PROPERTY WAS  
RAISED AS AN EXTRAORDINARY TAX, WITH SPECIAL REFERENCE  
TO THE PROPERTY TAX IN THE ARCHONSHIP OF NAUSINICUS.

SINCE both methods of assessment, concerning which some rather precise accounts have been preserved to us, that of Solon in the 46th Olymp. (B.C. 596), and that of Nausinicus in the 100th Olymp. (B.C. 380), made the distinction, which has been mentioned, between the taxable capital and the property, we may

assume, that this was an established principle at Athens, and that only the manner of its application varied. If in Olymp. 88, 1 (v. c. 428) the entire taxable capital of Attica amounted to the sum which Euripides in the 96th Olymp. (v. c. 396) made the basis for taxation in his proposition for raising a property tax, namely twenty thousand talents, then the first property tax, as Thucydides designates it, must have been a hundredth (*ἐκατοστὴ*); since it produced two hundred talents, and the one proposed by Euripides of five hundred talents must have been a fortieth (*τεσσαράκοστὴ*). But it is not indeed probable, that in both periods the entire assessment of Attica was the same. In the Ecclesiazusæ<sup>1</sup> of Aristophanes represented in the 96th Olymp. (v. c. 396) a five hundredth (*πεντακοσιοστὴ*) is mentioned, probably a small property tax, which was at that time raised to defray the public expenditures, and at the most may have produced forty talents. But at that date the taxable capital, if its amount was really as high as has been mentioned, came much nearer to the value of the property than in the archonship of Nausinicus; for at the latter date it amounted to only 5,750 talents. Demosthenes<sup>2</sup> reckoned according to this new method of taxation. For he always estimated the taxable capital in round numbers at six thousand talents, the hundredth at sixty, the fiftieth (*πεντηκοστὴ*) at 120 talents. "Shall I assume," he adds, "that you are willing to pay a twelfth (*δωδεκάτη*), five hundred talents? But that you could not be induced to do." It is here incontestably perceived, that the Athenians at that time never taxed themselves as high as the twelfth part of the assessment, although a tax at that rate would have amounted, even for the most wealthy, to only  $1\frac{2}{3}$  per cent. of their property, and for the rest of the population to much less.

We have accounts of the levying of three property taxes, which may be calculated with precision according to the method of assessment introduced in the archonship of Nausinicus. The first was imposed one year subsequently to the delivery of the

<sup>1</sup> Vs. 999. (1006-7. Weise ed.) The passage is, to be sure, very obscure, but the reading is undoubtedly correct: *Ἐλ μὴ τῶν ἐμῶν Τῆρ πεντακοσιοστὴν κατέσθηκας τῇ πόλει*. The reading of Tyrwhitt *τῶν ἑτέρων* is entirely destitute of authority. Probably, what the young man says had reference to coercive measures; for, in the period in which the transaction occurred coercive measures were allowed to the person who had paid the tax for another against the latter thus become his debtor. I designedly pay no regard to the scholiast.

<sup>2</sup> H. *συμμ.* p. 485, 18.

speech of Demosthenes concerning the symmoriæ in Olymp. 106, 4 (B. C. 353), in the month Mæmacterion, the date of the decree of the Athenian people, that on account of Philip's besieging Heræon Teichos, forty ships should be manned, and a property tax of sixty talents in amount should be raised.<sup>1</sup> In this speech the taxable capital is stated to have been six thousand talents. The tax was a hundredth (*ἐξαυτοστί*), and was reckoned by the orator at exactly that rate; that is, in relation to the most wealthy, one fifth per cent. of their property. Another was the tax of ten talents annually imposed for twenty-five years for the building of the arsenal, and of the houses for covering the ships.<sup>2</sup> This tax was a six hundredth (*ἑξαυτοστοστί*).

The third was the tax imposed in the archonship of Nausinicus. This produced more than three hundred talents. It must, consequently, have been a twentieth (*εἰκοστί*).<sup>3</sup> It may, to be sure, appear strange to some, that the hundredth did not produce just  $57\frac{1}{2}$ , the twentieth not just  $287\frac{1}{2}$  talents; since the assessment, according to Polybius, amounted to exactly 5,750 talents. But it must be considered, that the aliens also under the protection of the state paid taxes, but were not included in this assessment. They supplied not only what was wanting to make up the ten, sixty, three hundred talents, but must also have paid a considerable surplus. For this reason, the computation of the proceeds of the tax might with confidence be made, as though the taxable capital amounted to six thousand talents. These property taxes, therefore, were not excessively high. The guardians of Demosthenes paid for him in ten years only the tenth part of his taxable capital, or the fiftieth part of his property, namely, eighteen minas.<sup>4</sup> But his property always, even if a sixth part be deducted as unproductive, produced an interest of ten per cent. Consequently, one per cent. of his property was one tenth of his income. Or, in order to give a still more strik-

<sup>1</sup> Demos. Olynth. III. p. 29, 20.

<sup>2</sup> See Book IV. 1, of the present work.

<sup>3</sup> Demosthenes ag. Androt. p. 617, 22, uses, it is true, the expression *δεκατέθειν* in reference to the levying of taxes in the archonship of Nausinicus, and again in the speech ag. Timocr. p. 758, 4. But this is a general expression, employed when it is the intention invidiously to designate a taxation or a collection of taxes. If, however, any person is disposed to understand this expression literally, let him observe, that in the same sentence are the words *διπλῶς πρῶτοντες τὰς εἰσφοράς*, and that a twentieth collected twice is certainly equivalent to a tenth.

<sup>4</sup> Book IV. 7, of the present work.

ing representation of the matter, while in ten years he paid in taxes two per cent. of his property, it produced, in the same period, with tolerable good management, one hundred per cent.

How do these facts put to silence those who talk of the excessively high taxes of the Athenian citizens, especially if we call to mind the low rates of the tolls and duties, and the cheapness of the primary necessities of life! If the people, notwithstanding, were averse to the imposition of property taxes, as is manifest particularly from the Olynthiacs, and from the speech on the Chersonese, we need not wonder at it, for no one willingly taxes himself. If, nevertheless, the property of the people was diminished, the causes of it are to be referred to other circumstances, the consideration of which has no connection with the present subject.

We certainly find mention of single examples of high property taxes, as in Lysias, for instance, one of thirty, and another of forty minas. But the heavy expenditures of the individual who paid them prove, that he possessed a considerable amount of property.<sup>1</sup> The tax may have been very moderate in proportion to his property, especially as it was paid only twice. Aristophanes, also, according to the same orator, paid a property tax of forty minas. It was not for himself alone, however, but for his father also, not at one time, but upon several occasions, and at times when the greatest exertions were requisite; namely, the four or five years after the naval victory near Cnidus (Olymp. 96, 3 B. C. 394). And that Aristophanes (Lysias may strive to conceal it as he will) must have been very rich is shown by the choregia which he performed for his father and himself, by the trierarchy for three years, upon which he expended eighty minas, and also by the circumstances, that he purchased landed property to the value of five talents, and possessed a large quantity of furniture and utensils, and that he expended one hundred minas upon a voyage to Sicily, upon the occasion of an embassy to Dionysius, and thirty thousand drachmas to aid in the equipment and despatch of the auxiliary fleet sent to the aid of the Cyprians and Evagoras. For the assistance rendered in the last-mentioned case he was probably well paid by Evagoras in Cyprus, where his father was settled.<sup>2</sup>

<sup>1</sup> See Book III. 22, of the present work.

<sup>2</sup> Lysias for the Prop. of Aristoph. p. 242 sqq.; comp. p. 633 sqq., and p. 637.



We will not in this connection deny, that many persons spontaneously gave more than their resources would allow, and that many were oppressed by too high assessments, by the trierarchy, and by other liturgiæ, while others concealed their property. For example, Dicæogenes, according to Isæus, having concealed his property, from an income of eighty minas contributed nothing to many property taxes, except that he once voluntarily gave three minas.<sup>1</sup> Nor, finally, will we deny, that a frequent repetition of the taxes within a brief period, especially when, as occurred after the anarchy, the sources of gain were dried up, was a severe public scourge.<sup>2</sup> From these circumstances the complaints respecting the oppressiveness of the property taxes may be sufficiently explained.

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## CHAPTER IX.

SYMMORÆ OF THE PROPERTY TAXES AFTER THE ARCHONSHIP OF NAUSINICUS. OF THE PAYMENT OF THE TAXES IN ADVANCE, AND OF OTHER PARTICULARS RELATING TO THE PAYMENT OF THEM.

IN the archonship of Nausinicus in Olymp. 100, 3 (B. C. 378), the institution of what were called the symmoriæ (collegia, or companies),<sup>3</sup> was introduced in relation to the property taxes. The object of this institution, as the details of the arrangement themselves show, was through the joint liability of larger associations to confirm the sense of individual obligation to pay the taxes, and to secure their collection, and also, in case of necessity, to cause those taxes which were not received at the proper time to be advanced by the most wealthy citizens. To these sym-

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<sup>1</sup> Isæus concern. the Estate of Dicæog. p. 109-111.

<sup>2</sup> Comp. Lysias ag. Ergocl. p. 818, 819.

<sup>3</sup> Comp. Herald. VI. 2, 4, respecting the name given to these companies. The same name is often mentioned as applied to other kinds of companies.

moræ of the property taxes Harpocration<sup>1</sup> refers, when he quotes from Philochorus the arrangement of the symmoriæ in the archonship of Nausinicus; for the symmoriæ of the trierarchy were not introduced until a later date: and Demosthenes became, soon after his seventh year, at all events, not long after Olymp. 100, 3 (B. C. 378), leader of a symmoria.<sup>2</sup> After they had been once established, they continued uninterruptedly, at least until the 108th Olymp. (B. C. 348); probably, however, like the trierarchal symmoriæ, much longer. The fact that Demosthenes was a leader in the symmoriæ of the property taxes for ten years shows that they existed as late as the 103d Olymp. (B. C. 368). They still existed at the date also of the lawsuit against Midias, at the earliest, Olymp. 106, 4 (B. C. 353), according to others, some year of Olymp. 107 (B. C. 352-349). For Demosthenes says of Midias: "he has never up to the present day been a leader of a symmoria."<sup>3</sup> Whether they were still continued in Olymp. 107, 4 (B. C. 349) is doubted,<sup>4</sup> because Demosthenes in the second Olynthiac<sup>5</sup> says to the Athenians, that formerly they paid their taxes by symmoriæ, but that at the time when he was speaking they administered the government by symmoriæ. But these words prove, on the contrary, that the institution was at that time in full force. An institution like that of the symmoriæ very readily acquires great influence upon the administration of the government. For the different classes of property, and, in general, the divisions of the people made in conformity therewith, created political parties, and these parties could exert an influence only so long as the division continued. Since, therefore, as Demosthenes jeeringly says, the state was

<sup>1</sup> On the word *συμμορία*, and from him essentially, Etym., M., Phot., Suid., Schol. Demosth., Vol. II. p. 55, Reisk. in the Appendix; finally Scaliger 'Ολυμπ. αναγρ. I will not, therefore, further cite them in reference to this subject.

<sup>2</sup> See Book IV. 7, of the present work.

<sup>3</sup> Μειδίας δὲ πῶς; οὐδέ τι καὶ τήμερον συμμορίας ἡγεμὼν γέγονεν, Demosth. ag. Mid. p. 565, 19.

<sup>4</sup> Wolf, p. XCVIII. note.

<sup>5</sup> P. 26, 21. πρότερον μὲν γὰρ, ὡς ἄνδρες Ἀθηναῖοι, εἰσφέρετε κατὰ συμμορίας, νυνὶ δὲ πολιτεύεσθε κατὰ συμμορίας. From it in the speech *περὶ συνταξ.* p. 172, 1. In Niebuhr's Lectures upon Ancient History, Vol. II. p. 441, we read: "Demosthenes says himself: formerly you went into the field by phylæ, νυνὶ πολιτεύεσθε κατὰ φυλάς." Upon this, and professedly upon several other passages, an important discovery in relation to the political constitution of the Athenians is founded. But this discovery is confuted by the fact, that the starting-point rests upon a rather gross error of the memory.

governed by symmoriæ, the institution of the symmoriæ must have still legally existed. But the taxes were not paid by symmoriæ; for the obvious reason that the people had no inclination for property taxes. Demosthenes desired, as the whole speech shows, to induce the people to impose a tax, but because he saw that there was no desire to comply with his proposition, he jeeringly said, that the institution of the symmoriæ had lost all its efficacy, and, instead of taxes being levied in accordance with it, it was converted into an instrument of political intrigue. If the speech against Bœotus concerning his name was delivered in the first year of the 108th Olymp. (B. C. 348), as has been supposed, we would have a probable reason for believing, that the symmoriæ of the property taxes were still continued; since, as it appears, in that speech<sup>1</sup> a reference to them occurs in opposition to the trierarchy. But the date of the speech is rather Olymp. 107 (B. C. 352).<sup>2</sup> I have no doubt, however, that this arrangement

<sup>1</sup> P. 997, 1. I say as it appears; for the opposition is not fully certain.

<sup>2</sup> Corsini, F. A. Vol. IV. p. 30, assigns to this speech the date Olymp. 108, 1 (B. C. 348), and Wolf, p. CIX. seq., note, although he expresses himself rather indefinitely, follows him. Dionysius on Dinarchus assigns, as the date of the birth of Dinarchus, about Olymp. 104, 4 (B. C. 361) in the archonship of Nicophemus, and asserts, p. 119, 2, Sylb., that at the date of the delivery of the speech against Bœotus concerning his name Dinarchus was thirteen years old, because in the speech the expedition of the Athenians against Pylæ is mentioned as a recent event, and this expedition occurred ἐπὶ Θουμήδου ἀρχόντος. It has been supposed, that the thirteenth archon after Nicophemus, in Olymp. 108, 1 (B. C. 348), whose name, according to the common fasti, was Theophilus, was meant. That this was his name is established upon the authority of public documents; (C. I. Gr. No. 155; Seeurkunde, X. d. 130, p. 385). In the list of Archons in Dionysius, a few pages previously to the one above cited (p. 115, near the end) he is incorrectly called Θεόμνητος. But in p. 117, 9, Dionysius says, that he had in his criticisms on Demosthenes shown that the speech ag. Bœotus concerning his name was composed during the archonship either of Thessalus or of Apollodorus, Olymp. 107, 2-3 (B. C. 351-350). The easiest change of Θουμήδου is into Θουδήμου, and Thudemus was archon in Olymp. 106, 4 (B. C. 353). And, indeed, this is the correct form of his name, as is shown by public documents (C. I. Gr. No. 230; Seeurkunde, V. d. 63, p. 340; comp. Beilage XIV. 12, o). Instead of it the name Eudemus is found in the catalogue of Dionysius, p. 115, and also in Diodorus, XVI. 32; and in Dionysius on Ammæus, p. 121, Theodemus. But upon the supposition that Thudemus was the archon intended by Dionysius the difficulty arises, to be sure, that in that case Dinarchus could not have been thirteen years old in the archonship of Thudemus and that Dionysius contradicts himself, since he assigns Olymp. 107, 2-3 (B. C. 351-350) as the date of the speech. The confusion is still more increased by the circumstance, that in the speech against Bœotus concerning his name the expedition against Pylæ is not mentioned, but instead of it that against Tamynæ, as one that certainly had just occurred (νῦν, ὅτε εἰς Ταμύνας παρῆλθον οἱ ἄλλοι, p. 999, 8. The νῦν, however, is not necessarily to be understood of an event which had just occurred). Now if the emendation be made in Dionysius, as I myself formerly thought ought to be done, τῆς εἰς Ταμύνας (instead of

in relation to the taxes was in force even in Olymp. 108 (B. C. 348), and still later.

Moreover, Petit, and those who follow him, have not at all recognized the symmoriæ in relation to the property taxes. Wolf has the merit of following the example of Heraldus, and of remarking the introduction of the symmoriæ in relation to those taxes, and of distinguishing between the passages which treat of the symmoriæ of the property taxes, and those which refer to the symmoriæ of the trierarchy.<sup>1</sup> But the main question, what

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Πόλας) ἐξόδον γεγενημένης, and in a subsequent passage the hiatus ἡ δ' εἰς . . . Ἀθηναίων ἐξόδος be filled not with the word Πόλας, but with Ταμύνας, Dionysius will have assigned Olymp. 106, 4 (B. C. 353) as the date of the expedition to Tamynæ. The consideration, however, that about Olymp. 106, 4 (B. C. 353) an expedition to Pylæ really occurred, suggested another explanation, which, I perceive with pleasure, has in the essential particulars been anticipated by Böhnecke in his *Forschungen* Bd. I. p. 42 (comp. p. 21). Dionysius, namely, seems from inadvertence to have had in mind in this passage the expedition to Pylæ, instead of that to Eubœa, and correctly assigns as the date of it the archonship of Thudemus. But upon this supposition, the age attributed to Dinarchus at the date mentioned, namely, thirteen years, cannot, to be sure, be explained, and must have been an error of the transcriber. Because the name Thudemus was not found in the preceding list of archons, (for Eudemus is written instead of it), the copyist may have supposed that Theomnetus, which name is written in the list instead of Theophilus, was the archon intended. Or, if this be not the case, perhaps H is, with Krüger on Clinton, p. 144, to be written instead of ΗΓ (δγδοον instead of τρισκαδέκατον). With this view of the matter Olymp. 107, 3 (B. C. 350) only can be assigned as the date of the speech according to the other account of Dionysius. Clinton (F. H.) and Brückner (King Philip, p. 332 sqq.) wish, without further reason, to substitute Thessalus in the passage of Dionysius. With respect to the mention of the battle of Tamynæ in the speech ag. Bœot. concern. his name, we cannot from that circumstance draw any inference concerning the date of the speech; since the date of the battle is not certain. I prefer to say nothing about the latter the more readily, because I could not treat of it, without examining the question respecting the date of the speech ag. Mid., concerning which the opinions are so diverse, that the examination of them would be impossible without great prolixity. The reason for my formerly ascribing the date Olymp. 107, 1 (B. C. 352) to the speech ag. Bœot. concern. his name, was founded upon a supposition, which I at present have relinquished, and is therefore invalid. Comp. also the "Securkunden," p. 22 sqq.

<sup>1</sup> I have already remarked in the work on the public documents relating to the Athenian marine (Securkunden), p. 187, that generally the same persons must have belonged to the symmoriæ of the property taxes, and to those of the trierarchy. But I have on the same page noticed the difficulties which prevent me from considering the two kinds of symmoriæ identical. Beside what is there said concerning the property of orphans, I will add, that also corporate bodies, the tribes, the tribal districts, and others, could not be included among the members of the trierarchal symmoriæ, but they undoubtedly paid the eisphora. It is a singular circumstance, it is true, that in the document relating to the Athenian marine, No. XIV. p. 465, the general for the symmoriæ is mentioned without particularly designating the latter as the trierarchal symmoriæ. But this does not prove that there was but *one kind* of symmoriæ.



was the nature of the symmoriæ of the property taxes, is answered by him, although with apparent clearness and simplicity, yet in such a manner, that after we have examined all the particulars in relation to the property taxes, and particularly the method of assessment, we cannot rest satisfied.

The only complete account of the arrangement of the symmoriæ is found in the ignorant commentator of Demosthenes,<sup>1</sup> whom we traditionally call Ulpian, in a passage upon the second Olynthiac. In it we should with Wolf separate the first part, as being the more ancient,<sup>2</sup> from the second. "Each of the ten tribes," he says, "were obliged to report 120 of its members, who were the most wealthy persons in the tribe. These were divided into two parts in such a manner that the sixty of them who were the wealthiest were classed together. These latter, when an exigency occurred which demanded haste, were required to make an advance for the other sixty of less means, and were allowed afterwards to collect the tax from them at their leisure. The former sixty were called a symmoria." In the second, interpolated part, it is said, that since each of the ten tribes reported 120, the whole number of the liturgi, as they are called in this passage, was twelve hundred. These were divided into two divisions, each consisting of six hundred persons, or ten symmoriæ. Each of these two larger divisions were divided again into two smaller ones, each of which comprised three hundred persons, or five symmoriæ. One of these divisions of three hundred was composed of the most wealthy. They paid the taxes before, or for the others (*προετίθερον τῶν ἄλλων*), and the other three hundred were in all respects under their authority, and rendered them obedience. Thus far that part of the account, which is in some degree intelligible. What is added is both absurd and foreign to our object.

According to this representation, there appear to have been two classes formed of three hundred persons each, subject to similar regulations, who were about equally wealthy, and who advanced the payment of the taxes for two other equally poorer

<sup>1</sup> P. 33, ed. Hieron. Wolf. Comp. F. A. Wolf, p. XCV.

<sup>2</sup> Wolf thought that it was *more modern*. This I quietly corrected, substituting without ceremony the proper term, until I saw, that I was disappointed in my expectation, that this modesty would be understood. K. H. Lachmann, in his *Gesch. Griechenl. vom Ende des Pelop. Krieg. bis Alex. d. Gr. Bd. I. p. 255*, disputes the propriety of separating the two parts.

classes. But there is no cause conceivable for the separation of the six hundred, who were the most wealthy, into two such divisions, if they were in other respects upon an equal footing. The first three hundred, as the wealthiest, must much more probably have been a higher class.<sup>1</sup> Hence *to pay taxes among the three hundred* means the same as *to pay taxes among those whose taxes were the highest*.<sup>2</sup> The only passage, from which it might be inferred, that there were two classes of three hundred, subject to similar regulations, is the passage, a part of which has been quoted from the second Olynthiac.<sup>3</sup> From it mainly Ulpian has formed his view of the subject, and drawn many other false inferences. The whole passage reads: "Formerly you paid your property taxes (*εἰσεσφύετε*) according to symmoriæ; but now you govern the state by symmoriæ. Of each of two parties an orator is the leader, and under him a general, and those who are always ready to clamor, the three hundred. But the rest of you are associated, some with one party, some with the other." I acknowledge, that I cannot with certainty explain this passage. But we may understand it to mean, that there were two classes of different degrees of wealth which were the highest, and that between them differences of opinion upon political subjects frequently occurred. For a jealousy of the second class against the first, which of course would make the highest claims to consideration, might easily have arisen, and through the influence of this feeling factions might have been formed, interfering with the most important affairs of the state, and influencing the passage of decrees, and particularly the elections. That the two contending parties were the symmoriæ of the property taxes on the one side, and the symmoriæ of the trierarchy on the other,<sup>4</sup> I cannot concede; for the antithesis is expressly between the payment of the eisphora, or property tax, by symmoriæ, and the government of the state by symmoriæ. If the two parties were the class which had relation to the property taxes, and the trierarchal class, the expression of the orator would have been, "formerly you paid taxes, and performed the public service of the

<sup>1</sup> Demosth. on the Crown, p. 285, 18.

<sup>2</sup> Isæus concern. the Estate of Philoct. p. 154. Speech ag. Phænipp. p. 1046, 20; p. 1039, 17. What is found in Lex. Seg. respecting the three hundred is entirely vague.

<sup>3</sup> P. 26, and from it π. σφύραζ., with some alterations.

<sup>4</sup> Parreidt, as above cited, p. 22.

trierarchy according to *symmoriæ*." Or is the subject of discourse not two divisions of three hundred each, but was the disunion within the same division of three hundred? Whatever may have been the fact in regard to this particular, it is incredible, that twelve hundred were the whole number of those who paid taxes, and can least of all be assumed upon the testimony of an Ulpian.

The passages of ancient writers, and of the grammarians, relating to this subject, are extremely indefinite. In regard to several of them we cannot tell, whether they are treating of the twelve hundred of the property tax, or of the trierarchy.<sup>1</sup> The thousand mentioned by Harpocration, quoting from Lysias and Isæus, and considered by him as a round number, identical with the twelve hundred, can properly be referred neither to the *symmoriæ* of the property tax, as they existed after the archonship of Nausinicus, nor to the *symmoriæ* of the trierarchy;<sup>2</sup> for Lysias died, probably, in Olymp. 100 $\frac{2}{3}$  (B. C. 378).<sup>3</sup> Philochorus treated of the *symmoriæ*, as they existed in the archonship of Nausinicus, in the fifth book of the *Atthis*;<sup>4</sup> but of the twelve hundred in the sixth book.<sup>5</sup> He treated of them, therefore, as entirely distinct; so that he appears to have mentioned the latter rather in relation to the trierarchy according to *symmoriæ*, which was introduced at a later date. But Isocrates<sup>6</sup> in a connection in which all the *liturgiæ*, particularly also the trierarchy may have been intended, certainly calls the twelve hundred those who paid taxes, and performed *liturgiæ*; so that twelve hundred must have paid all the property taxes, and performed all the *liturgiæ*, including the trierarchy. But even this passage proves nothing; for an orator might with perfect propriety designate in that man-

<sup>1</sup> For example, in Harpocr. on the word *συμμορία* (although in this article the *symmoriæ* of Nausinicus are the *symmoriæ* of the property tax) and the phrase *χίλιοι διοκόσιοι*.

<sup>2</sup> Wolf thought the latter were meant. See p. CX., note.

<sup>3</sup> Taylor, *Life of Lysias*, p. 150, Vol. VI. Reiske; and others.

<sup>4</sup> Harpocr. and from him Phot., Suid., and Etym. on the word *συμμορία*.

<sup>5</sup> Harpocr. on the words *χίλιοι διακόσιοι*.

<sup>6</sup> On the Exchange of Property, p. 80, Orell. *εἰς δὲ τοὺς διακόσιους καὶ χίλιους τοὺς εἰσφέροντας καὶ λειτουργοῦντας οὐ μόνον αὐτοὺς παρέχεις, ἀλλὰ καὶ τὸν νῖόν· τρὶς μὲν ἤδη τετρηραρχήκατε, τὰς δ' ἄλλας λειτουργίας πολυτελέστερον λειειτουργήκατε καὶ κάλλιον ὧν οἱ νόμοι προστάτουσιν.* To the same purport Harpocr. on the phrase *χίλιοι καὶ διακόσιοι*: *οἱ καὶ ἐλειτούργουν.*

ner those who formed a separate body, as the wealthier portion of the community, who paid the highest taxes, and to whom the state first applied in every emergency. And much as accounts like these may embarrass the person who may endeavor to reconcile all the statements relating to the subject, yet the reasons for considering, beside the twelve hundred, all other persons whose property was not altogether inconsiderable, subject to taxation, are too preponderating to allow of any other opinion.

If we suppose that only twelve hundred wealthy persons paid the property taxes, the conclusions resulting from that supposition would be preposterous. According to the speech against Leptines, the date of which is Olymp. 106, 2 (B. C. 355), when the symmoriæ of the property taxes were still existing, the wealthy Athenians both performed the service of the trierarchy, and paid the property tax.<sup>1</sup> If there had been only twelve hundred persons, who paid the property tax, the trierarchs, since they were also twelve hundred in number, would have been the only persons who paid it. But this is manifestly absurd. Demosthenes himself says, that those also paid taxes who were too poor to perform the service of the trierarchy. And how could only twelve hundred have possessed a sufficient amount of property to enable them to pay taxes, since in the 94th Olympiad (B. C. 404) there were only five thousand citizens not possessed of landed property, and even in Olymp. 114, 2 (B. C. 323) there were nine thousand citizens who possessed more than two thousand drachmas?<sup>2</sup> Moreover, how liberal would the assembly of the people have been with property taxes, if the whole burden lay upon twelve hundred! Finally, the property tax was, as has been shown, from the period of the archonship of Nausinicus a definite portion of the entire assessment, and it is constantly so computed by Demosthenes in the speech concerning the symmoriæ.<sup>3</sup> But at that date (Olymp. 106, 3, B. C. 354), the symmoriæ of the property taxes were existing. Now the entire assessment of 5,750, or six thousand talents, was not the valuation of the property of about twelve hundred citizens; according to Demosthenes and Polybius, it was the assessment of the whole country

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<sup>1</sup> See above, Chap. I.

<sup>2</sup> See Chap. 3, of the present Book.

<sup>3</sup> See Chap. 4, 7, 8, of the present Book.



(*τίμημα τῆς χώρας*). And yet Ulpian<sup>1</sup> infers from the certainly obscure and difficult exposition of the subject by Demosthenes in the speech concerning the *symmoriae*, that it was merely the assessment of the twelve hundred trierarchs.

Indeed, it may be shown by computation, that twelve hundred could not have been in possession of the whole amount of property assessed, if a conclusion in itself contradictory needed confutation. Demosthenes was in the highest class, the class which comprised those whose assessments were the highest. But his assessment amounted to only three talents. Assuming now, that there were four classes, comprising together twelve hundred persons, and that in each class there were about three hundred persons subject to taxation, and further, that the assessment of each person in the highest class was upon an average higher than that of Demosthenes, for example, by five talents, which supposes the property of each to have amounted upon an average to twenty-five talents; then the entire assessment of the first three hundred amounted to only fifteen hundred talents. But it is manifest, that the three other classes, reckoning each to have comprised three hundred persons, could not have possessed three times fifteen hundred talents, because not only the property of each was less in amount than that of the first class, but also their assessment was a smaller part of their property.<sup>2</sup> Let us reckon as we will, assume a larger, or a smaller number of classes, the result of our computation would never show, except upon assumptions entirely inadmissible and extravagant, that the assessment of twelve hundred persons, if in the highest class there were individuals whose assessment was only three talents, could have amounted to six thousand talents.

The calculation of Budæus is almost ridiculous.<sup>3</sup> He considers the twelve hundred as only the highest class, to which Demosthenes belonged, and assumes, that the assessments of other persons in the class were higher than that of Demosthenes, for example, that the assessment of four hundred was upon an aver-

<sup>1</sup> P. 141. τὴν δὲ οὐσίαν τὴν τῶν χιλίων καὶ διακοσίων τριηράρχων τετιμῆσθαι φησι τάλαντων ἑξακισχιλίων. I will return to this subject in Chap. 12, when treating of the trierarchy. Budæus, it is true, ut sup. p. 539, considers six thousand talents as the entire assessment; but in p. 540 sqq., again, as the assessment of the twelve hundred.

<sup>2</sup> Book IV. 7, of the present work.

<sup>3</sup> Ut sup., p. 542.

age three talents, of another four hundred, four talents, and of the remaining four hundred, eight talents. This makes the assessment of the whole number six thousand talents. But if indeed only twelve hundred persons possessed the entire assessed capital, all the classes assessed must have been complete in these twelve hundred; and if the class to which Demosthenes belonged was the one whose assessments were the highest, there must have been assessments of a less amount, and, indeed, if the entire assessment was possessed by the twelve hundred, the inferior classes must have been classes of the twelve hundred. Thus the calculation of this eminent man proves to be erroneous.

We have far more reason to believe, that many others beside the twelve hundred must have paid taxes, whose property was of less amount, but who had been assessed when the entire assessment of property was taken. Of this there is also found a trace which may not be disregarded. Androtion collected the arrears of the tax imposed in the archonship of Nausinicus. These amounted to seven out of fourteen talents. But they were small sums, in no case more than a mina, says Demosthenes, in one instance something more than seventy, in another thirty-four drachmas.<sup>1</sup> There were certainly persons among those thus in arrear who had participated in the performance of the duties of the trierarchy; for example, Leptines of Coele,<sup>2</sup> and Callicrates, the son of Eupherus.<sup>3</sup> The sums collected from them, therefore, could only have been arrears, the liability to the payment of which had perhaps been disputed by them. But the most of the items were probably taxes of persons in low circumstances, who, because they could not pay the sums due, were obliged to submit to abusive treatment from Androtion, and to illegal imprisonment. Since Androtion collected seven talents, but from no individual more than a mina, he must have collected arrears of taxes from at least four to six hundred men. Now if we reckon, that the other seven talents were likewise for the most part small items, for we can hardly suppose otherwise, the result is, that

<sup>1</sup> Demosth. ag. Androt. p. 606 seq., particularly p. 611, 21. In the speech ag. Timocr. p. 751, 4, only five talents are mentioned, although the accounts in both in other particulars very nearly coincide.

<sup>2</sup> Leake, *Topog. of Ath.*, writes the name of this district Coele; Smith in his *Die. of Gr. and Rom. Geog.* and others have it as in the text. — Tr.

<sup>3</sup> See, respecting these persons, the work "über die Steuerkunden," p. 240 seq. and p. 242.

there were almost twelve hundred persons whose taxes were in arrear. These could not have been the twelve hundred rich persons already mentioned, but must have been principally citizens, whose assessments were low, and who with difficulty paid even small sums. To these considerations may be added, that the property of the subordinate communities was subject to the property tax. That this was the case we can show so far back as Olymp. 108, 4 (B. C. 345); and there is no reason why we should not assume the same in relation to the earlier periods. The subordinate communities, the tribes, and tribal districts, could, however, hardly have been included as persons among the twelve hundred. The same may be said of many other corporate bodies, which possessed property, namely, of the clans, of the thiasotic, and eranic societies. To conclude, therefore, the twelve hundred wealthiest persons in the state were properly the members of the *symmoriæ*, or the *symmoritæ* themselves.

But beside the persons, who were assessed as *symmoritæ*, there must have been a number of other persons of smaller assessments, distributed among the *symmoriæ*, or assigned to them, probably in such a manner, that the *symmoriæ* comprised each about an equal part of the entire assessment, in the same manner as Demosthenes proposed to divide the assessment in relation to the marine.<sup>1</sup> Unless the assessments in each *symmoria* were about equal, a well-ordered arrangement is not conceivable. This equality may easily have been attained, if the 120, whom each tribe furnished, did not, as Ulpian's account might induce us to believe, continue united together in two *symmoriæ*, but if, on the contrary, as was probably the case in relation to the trierarchal companies (*symmoriæ*), persons of different tribes were designedly united together in one *symmoria*,<sup>2</sup> because it was considered judicious to disregard the tribal relation in the arrangements for both these kinds of taxation. And then the same remark is to be applied also to the persons of smaller assessments who were assigned to the several *symmoriæ*. There were according to Ulpian twenty *symmoriæ*. The assessments, therefore, of the persons belonging to each of them must have amounted to about three hundred talents. Each of these sym-

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<sup>1</sup> See Chap. 13, of the present Book.

<sup>2</sup> See the work on the Documents relating to the Athenian Marine (*Seurkunden*), p. 186.

morizæ may have been subdivided into five parts, and each one of the latter into three parts, so as to make three hundred divisions, as Demosthenes makes one hundred. A smaller number of divisions, however, may have sufficed. Now the three hundred most wealthy persons may have been the presidents of these divisions; next after these would be three hundred of the next degree of wealth, and then twice three hundred the wealthiest after these, and these twelve hundred together may have formed a body, which conducted the affairs of the symmoriæ, and among them again the three hundred most wealthy may have formed a distinct body for the performance of that duty. The persons of smaller assessments, who were assigned to the several symmoriæ were no further taken into consideration, because the more wealthy were obliged to furnish the greater part of the supplies, and to them was intrusted the management of the whole body. Thus at least the institution of the symmoriæ appears to have some rational significance, and the accounts of the ancient authors respecting it, to be in a measure reconciled. If any other person can give a better explanation of it, it will afford me much pleasure.

That the three hundred were in a certain sense presidents of the symmoriæ cannot be doubted. But whether the so-called *leaders of the symmoriæ* (ἡγεμόνες συμμοριῶν)<sup>1</sup> were identical with them, or only included in them, I leave undecided. Whatever may have been the fact with regard to that particular, they were certainly the most wealthy. Thus in relation to the trierarchy the symmoriæ of the second and third rank with respect to wealth are, in a passage of Demosthenes, opposed to the leaders.<sup>2</sup> The *symmoriarchi*, so called by Hyperides,<sup>3</sup> were either the same as the leaders or the *superintendents of the symmoriæ* (ἐπιμεληταὶ τῶν συμμοριῶν) mentioned in relation to the trierarchy, and who also existed in relation to the symmoriæ of the property tax.

<sup>1</sup> See respecting them Book IV. ch. 7, of the present work, and Harpocr., Suid. on the phrase ἡγεμῶν συμμορίας. In the latter article, however, the mention of the speech of Demosthenes in behalf of Ctesiphon has reference to the symmoriæ, not of the eisphora, but of the trierarchy.

<sup>2</sup> Demosth. on the Crown, p. 260, 20.

<sup>3</sup> Pollux, III. 53. τοὺς δὲ ἀρχοντας τῶν συμμοριῶν καὶ συμμοριάρχας Ὑπερίδης εἴρηκεν. Heraldus (VI. 2, 8) considers the symmoriarchus to have been the person of the very first rank in point of wealth, who paid the highest tax, or contributed the highest sum. But there is not sufficient foundation for this supposition.



It appears to me doubtful, however, whether the word used by Hyperides was an official designation. In what manner these presidents conducted and managed the affairs of the *symmoriæ* we are not informed. But the circumstances of the case require the assumption, that they conducted the meetings and proceedings of the *symmoritæ*. Undoubtedly they kept the *diagrammata* of their respective *symmoriæ*, in which it was determined what amount each person should pay in proportion to the payments required of the other members of the *symmoriæ*, both in relation to the property tax, as well as to the trierarchal *symmoriæ*. But whether those who prepared these *diagrammata* (*διαγραφεῖς*, *ἐπιγραφεῖς*) were different persons from these presidents of the *symmoriæ*, or a committee of the same, is not known. If the speech of Hyperides against Polyæctus on the *diagramma*, or the speech of Lysias on the property tax, which indeed was composed previously to the institution of the *symmoriæ*, had been preserved to our days, we should have had more information with regard to the assessment of property in the Athenian State, and to other particulars connected with our present subject.<sup>1</sup> The duty of enrolling the names of individuals in the *diagrammata* of the *symmoriæ* upon the basis of the assessment which had been made, belonged to the generals.<sup>2</sup>

Upon the principal persons of the *symmoriæ* was imposed the burden also of paying, in case of necessity, the taxes of the less wealthy in advance (*προεισφορεύ*). This obligation Ulpian ascribes to his two divisions of the wealthiest persons consisting of three hundred each, but may with more certainty be attributed to a single division of three hundred.<sup>3</sup> This advancing of the taxes for others may appositely be compared to the taking of forced loans from wealthy persons, as practised at the present day, with-

<sup>1</sup> Harpocr. on the word *διάγραμμα*, in which article are to be observed the words *πρὸς τὴν τίμησιν τῆς οὐσίας*, and from it is derived what is found in Suid. on the words *διάγραμμα*, *διαγράμματα*, *διαγραφεῖς*, *διαγραφή*; also in Lex. Seg. p. 236, 241. Harpocr. on the word *ἐπιγραφεῖς*; Zonaras on the words *διάγραμμα*, and *ἐπιγραφεῖς*; Lex. Rhet. in the English edition of Photius, p. 670. With respect to the speech of Hyperides comp. the work on the "Seeurkunden," p. 249, and Chap. 6, of the present Book.

<sup>2</sup> Demosth. ag. Bæot. concerning his name, p. 997, near the top. Comp. Book IV. 1. The conjecture that the *διαγραφεῖς* were secretaries of the generals is unfounded. Such full powers never belong to the secretaries of public authorities.

<sup>3</sup> Speech ag. Phænip., p. 1046, 20 seq. This Demosthenes π. συμμ. p. 185, 14, calls *μέρος τῶν ὄντων ὑπὲρ ἑαυτοῦ καὶ τῶν λοιπῶν προεισνεγκεῖν*. Similar to this was the *ἀλληλέγγυον* in the Byzantine Empire.

out overlooking, however, the points of difference. But the advance of the taxes was not always required. In the archonship of Nausinicus the taxes were collected by the state itself. This is shown by the example of Androtion in collecting the arrears of the same. On the other hand, when the taxes were paid in advance, those who had made the advance for others less wealthy themselves collected the same amount from the persons in whose behalf it was made.<sup>1</sup> Sometimes the taxes were not paid in advance until it was directed to be done by a decree of the people,<sup>2</sup> and the names of those persons who were to make the advance for the less wealthy inhabitants of the tribal district to which they themselves belonged, as well as for the other persons who possessed landed property in the district (τοὺς ἐγχετημένους), were returned by the council. The person represented as speaker in the speech against Polycles possessed landed property in three districts, and his name was returned in all three of them, as of one of those persons who were to pay the taxes for others in advance, although, because he was a trierarch, he was under no obligation to perform this service.

What relation in this case the tribal districts bore to the symmoriæ in other particulars cannot be precisely ascertained, and so far as our investigations are concerned is a matter of indifference. For it by no means follows from what has been just said, that the symmoriæ corresponded with the tribes, and it is not even incredible, that in the case cited a particular method of proceeding was directed, entirely independent of the institution of the symmoriæ, since particular circumstances occasion a resort to extraordinary measures. But so much is evident from this example, that taxes were sometimes paid upon landed property according to the districts in which it was situated, and this is not inconsistent with the other regulations relating to the assessment. So in Potidæa every proprietor of landed property was required to pay taxes for every piece of it in the district in which it lay, not for every piece of it together in the district in which his name was enrolled, because that method alone could enable the less wealthy to estimate whether any individual had been correctly assessed, or not.<sup>3</sup> As a matter of course an action

<sup>1</sup> Demosth. ag. Polycl. p. 1209, 4.

<sup>2</sup> The same, p. 1208, 25.

<sup>3</sup> Aristot. Oecon. II. 2, 5, and Schneider on the same.

could be brought for the recovery of the money advanced to pay the taxes of others.<sup>1</sup> In general, the property was security for the payment of the taxes, and the state could confiscate it.<sup>2</sup> Also, when any person thought that he had reason to complain, that he was unjustly included among the three hundred who paid the taxes in advance, and that another person could with more propriety be substituted in his place, the legal remedy of the exchange of property could be applied. To this the speech against Phænippus refers.

We have intentionally reserved the consideration of two points until the end of these investigations.

One is why in fixing the amount of the taxable capital in the assessment of Nausinicus the simple rate of 2,500 drachmas was taken as the basis, and it was determined what part of this sum should in each class belong to the assessment or taxable capital.<sup>3</sup> For this I can conceive no other reason than that 2,500 drachmas was the lowest amount of property which in taxation was taken into consideration; so that it was determined what should be the assessment of a person, whose property amounted to only 2,500 drachmas, and if he possessed a larger amount of property, what portion of every 2,500 drachmas of the same should contribute to make up his assessment. With this arrangement the above assumed gradation of the quotas of the classes,  $\frac{2}{5}$ ,  $\frac{4}{5}$ ,  $\frac{3}{5}$ ,  $\frac{2}{5}$ , very appropriately corresponds. When Antipater confined the enjoyment of the full rights of citizenship to those alone who possessed a certain amount of property, the lowest sum which by his regulations entitled a person to the enjoyment of those rights was 2,000 drachmas. This sum accords well with our assumption. Demosthenes,<sup>4</sup> it is true, asserts, that, although his family had formerly performed the public service of the trierarchy, and had paid large property taxes, yet at the time at which he was speaking, since he had received from his guardians only thirty-one minas, and the house

<sup>1</sup> Allusion is made to this in Demosth. ag. Pantænet. p. 977, 19, *ἀν προεισφορὰν μὴ κομίζηται*, if a person does not receive the money advanced by him.

<sup>2</sup> Demosth. ag. Androt. p. 609, 23; and ag. Timocr. p. 752. In this connection may also be quoted Phot. and Suid. on the word *πωλήτης*: *ἐπέκειντο δὲ τοῖς πωληταῖς καὶ ὅσοι τὸ διαγραφὲν ἀργύριον ἐν πολέμῳ μὴ εἰσέφερον*. The inscription of a later date, C. I. Gr. No. 354, has no reference to this subject.

<sup>3</sup> See Book IV. 7, of the present work.

<sup>4</sup> Ag. Aphob. I. p. 833, 24; comp. p. 825, 6.

of his father, he could no longer, on account of their shameless embezzlement, pay even small property taxes. But such an expression, uttered when smarting under the pain occasioned by the consciousness of the injury which he had sustained, cannot be so literally understood as to conclude from it that from that amount of property no taxes were required.

The other question is this, why does Demosthenes<sup>1</sup> in two passages, exhort, that all should pay taxes, each individual in proportion to his property, if this, as we have assumed, was, according to the existing regulations for the assessment, already the practice for those who possessed any degree of wealth. Since it is the unpleasant destiny of the investigator of antiquity everywhere to watch for information as occasion may offer it, he is often unable to explain such intimations as these, because the author did not choose to write for posterity. Our orator, however, gives us so much information upon the subject as this, that to some persons was committed the administration of the government, while others were compelled to perform the public service of the trierarchy, and he asks, that it be not allowed that the former should be continually passing decrees to the disadvantage of the latter, because in that case the suffering party would always be sluggish, and would not do as much as should be required.<sup>2</sup> But who then were these persons who administered the government of the state? Those very three hundred in the symmoriæ, as he had just before said, who formed parties in the state. If then all were not required to pay taxes, *they* seem to be the very persons who did not pay them, and if they did not pay them, it was an irregularity, not a practice in accordance with the constitution. It would almost seem, as if the wealthiest in the symmoriæ had, at that time, through an abuse of power, rolled the burden of taxation upon the poor portion of community, exactly as was the case in the trierarchal companies (*συμμορίαι*).<sup>3</sup>

<sup>1</sup> Olynth. I. p. 15, l. Ἔστι δὲ λοιπὸν, οἶμαι, πάντας εἰσφέρειν, ἂν πολλῶν δέη πολλά, ἂν ὀλίγων ὀλίγα. Olynth. II. p. 27, particularly in the words: λέγω δὲ κεφάλαιον, πάντας εἰσφέρειν ὅφ' ὃν ἕκαστος ἔχει τὸ ἴσον. Τὸ ἴσον can, of course, mean nothing else than "one the same as another in proportion to the amount of the property possessed." But gradations in the rates of taxation need not be considered excluded by this expression.

<sup>2</sup> Olynth. II. as above cited.

<sup>3</sup> See Chap. 13, of the present Book.



## CHAPTER X.

## OF THE TAXES AND LITURGÆ OF THE ALIENS UNDER THE PROTECTION OF THE STATE.

WE have hitherto treated of the liturgiæ and of the taxes of the citizens which were performed and paid by all of them, even if they lived in foreign countries; but only for the property which they possessed in Attica.<sup>1</sup> It hardly needs to be remarked, that the naturalized citizens (*δημοπολίται*), — except so far as they were, like Leucon, king of Bosporus, exempted by an *atelia* from the regular liturgiæ,<sup>2</sup> — performed those public services, and paid taxes, and were members of the *symmoriæ*. Of this the cases of Pasion, the rich banker, and of Apollodorus his son, are examples. And when Harpocration<sup>3</sup> quotes from Hyperides, that also the naturalized citizens belonged to the trierarchal *symmoriæ*, this remark was either purely accidental, or was occasioned by the fact, that the names of that class of citizens were not enrolled in the registers of all the divisions of the people, but necessarily in those of the tribes, and tribal districts, and not necessarily in those of the clans, and *phratriæ*, although their enrolment in a *phratia* was allowable.

But beside the citizens the aliens under the protection of the state (*μέτοικοι*), and the *isoteleis* (*μέτοικοι ἰσοτελεῖς*) performed liturgiæ, which, at least those of the former class, were different from those performed by the citizens.<sup>4</sup> Both these classes also paid property taxes. Exemption from the liturgiæ, particularly from the choregia, was sometimes granted to aliens under the protec-

<sup>1</sup> Demosth. ag. Lept. § 31 (p. 469, 5); comp. § 25 (p. 466, 10 sqq.).

<sup>2</sup> Moreover, that non-residents of Attica, upon whom as an honorary distinction the privileges of citizenship were conferred, as Leucon, for example, did not perform the service of the trierarchy, I consider unquestionable. And I very much doubt whether such persons, even if they possessed capital, or stock in trade, in manufactures, or in any business in Athens, were required to pay the *cisphora*. The case was otherwise, to be sure, in relation to landed property.

<sup>3</sup> On the word *συμμορία*.

<sup>4</sup> Hence the expressions *μετοίκων λειτουργίαι*, and *πολιτικαὶ λειτουργίαι*.

tion of the state, as well as to citizens.<sup>1</sup> Indeed a case occurred during the youth of Demosthenes, in which exemption even from the payment of the property tax was granted to some citizens of Sidon, who were at Athens aliens under the protection of the state.<sup>2</sup> We have but little information, however, concerning these public services of the aliens under the protection of the state. The service of the choregia, according to the testimony of the scholiast to Aristophanes,<sup>3</sup> was performed by them at the celebration of the festival of the Lenææ. Lysias speaks of having performed all the choregiæ.<sup>4</sup> He must, therefore, have performed the duties of choregiæ of various kinds. But since he was an isoteles, probably by descent from his father, this fact affords no proof in favor of the supposition, that the common aliens under the protection of the state performed the duties of several kinds of choregia. Of the performance of the duties of the gymnasiarchy by the aliens under the protection of the state nothing is known; the duties of the trierarchy they very seldom performed.<sup>5</sup> But the account in Ulpian<sup>6</sup> derived from an ancient commentator, that it was customary for them to have feasts (*ἑστιασεῖς*), similar to those of the tribes is highly probable; since they had their own tutelary Jupiter (*Ζεὺς μετοίκιος*), and their own peculiar religious rites, and also their own festivals, at the celebration of which such feasts used to be given. Finally, under the present head are comprised the scaphephoria,<sup>7</sup> the hydiaphoria, and the sciadephoria, inferior and humiliating services required of the aliens under the protection of the state.

With regard to the property taxes, Lysias,<sup>8</sup> the alien under the protection of the state, or isoteles, boasts of having paid a large number of them, and they are often mentioned, as occasion offers, in connection with the aliens under the protection of the state.<sup>9</sup>

<sup>1</sup> Demosth. ag. Lept. § 15 sqq., (p. 462, 13 sqq.); § 50, (p. 475, 23 sqq.). C. I. Gr. No. 87.

<sup>2</sup> C. I. Gr. as above cited. Comp. in relation to the *ἀτελεῖς μετοίκοι*, as Pollux (III. 56) calls them; also Book III. 7, 21 of the present work.

<sup>3</sup> Plut. 954. The doubts of Hemsterhuis on this passage are of little consequence.

<sup>4</sup> Ag. Eratosth. p. 396.

<sup>5</sup> See the Seeurkunden, p. 170.

<sup>6</sup> On Lept. § 15.

<sup>7</sup> Lex. Seg. p. 280, p. 304, and other authorities.

<sup>8</sup> Ut sup.

<sup>9</sup> For example, Lysias ag. the Grain dealers, p. 720.

From inscriptions I will cite as examples of good tax payers, who were specially praised on that account, Nicander of Ilium, Polyzelus of Ephesus,<sup>1</sup> Euxenides of Phaselis.<sup>2</sup> The aliens under the protection of the state in the more limited sense, that is without the isoteleis, formed symmoriæ of their own number (*μετοικικὰς συμμορίας*).<sup>3</sup> These symmoriæ had their own treasurers, and the contribution of each member of them was fixed by persons appointed for that purpose (*ἐπιγραφεῖς*);<sup>4</sup> of course, only from property possessed by the former in Attica. What was the whole amount of the tax at a certain rate of the same cannot be ascertained; and in different periods the total amount of the assessment of the aliens under the protection of the state must certainly have been different; since they were not permanent residents of Athens. Probably, the majority of them were poor. Examples of rich men of this class were Dinarchus the orator, Cephalus and his sons Polemarchus and Lysias.<sup>5</sup> The two last mentioned owned not only three houses, and 120 slaves, but Lysias, beside utensils and furniture made of silver, and of other materials, possessed in ready money three talents of silver, four hundred Cyzicene staters, and one hundred darics. The thirty tyrants caused Polemarchus, and other rich aliens to be executed, in order that they might confiscate their property. In no case could a large sum have been collected from persons of this class, because they could easily conceal their property, and many, as was natural, were ill-disposed enough to do it,<sup>6</sup> however strict the laws may have been against such concealment.

Moreover, higher taxes were exacted from them than from the citizens. Hence Demosthenes speaks of the unfortunate aliens. For example, when the tax was imposed in the archonship of Nausinicus, they returned the sixth part.<sup>7</sup> This

<sup>1</sup> Ephem. Archæol. No. 350, (Curtius de Portub. Ath. p. 47).

<sup>2</sup> Ussing, Inscr. Gr. Inedd. No. 57. The passage relating to Cleonymus the Cretan, in Isæus concern. the Est. of Dicæog. p. 111, in strictness cannot be cited in this connection; for in it the subject of discourse is a voluntary contribution.

<sup>3</sup> Hyperid. in Pollux, VIII. 144. For the reason of my excluding the isoteleis, see the immediate sequel.

<sup>4</sup> Harpocr. on the word *ἐπιγραφεῖς*; Isocrat. Trapezit. 21.

<sup>5</sup> With regard to Dinarchus see Dionys. Hal. in the Life of Dinarchus. For the others see Plat. Rep. near the commencement; Lys. ag. Eratosth. p. 386 sqq.

<sup>6</sup> Lys. ag. the Grain dealers, ut sup.

<sup>7</sup> Demosth. ag. Androt. p. 612, near the top: *προσῆκεν αὐτῷ τὸ ἕκτον μέρος εἰσφέρειν μετὰ τῶν μετοίκων*. Comp. p. 609, near the bottom, where the expression *τοὺς ταλαιπῶρους μετοίκους* is used.

is mentioned in such a manner, that it is apparent, that they paid a higher tax than the poorer citizens. But the tax imposed in the archonship of Nausinicus was a twentieth, and can it be possible, that while the citizens paid a twentieth, the aliens under the protection of the state paid the sixth part of their assessments? This is improbable. If a tax of a twentieth of their assessments was imposed upon the citizens, a higher rate would not have been levied on the aliens under the protection of the state, since the injustice and oppressiveness of such a procedure would have been too obvious. To understand with Ste. Croix<sup>1</sup> that the sixth part of the property itself is meant, would be not less absurd, than to consider the fifth part, said to have been registered by one class of the citizens, as the tax of the latter. To pay taxes is not the only signification of the Greek word *εισφέρειν*, but it also means to cause a certain amount to be entered in the registers of a symmoria for one's self, as taxable capital.<sup>2</sup> The citizens of the first class caused the fifth part of their property to be entered as taxable capital; those of the other classes a smaller part: but in the archonship of Nausinicus the sixth part of the property of the whole body of the aliens under the protection of the state seems to have been assessed as their taxable capital. This for the far greater number was probably very oppressive. Whether exactly a sixth was meant, or as I have conjectured in relation to the second class of the citizens, sixteen per cent., which is nearly a sixth, I leave undecided. This does not seem, however, to have been an established rate, but upon every occasion of taxation particular directions were given by decree in relation to the taxes of the aliens under the protection of the state.<sup>3</sup>

A favored class of these aliens were the isoteleis, the nature of whose privileges, from the want of sources of information, cannot be fully ascertained. The isoteleis (*ἰσοτελεῖς*, whose unofficial appellation was *ὁμοτελεῖς*)<sup>4</sup> together with the proxeni,

<sup>1</sup> Mem. de l' Acad. des Inscript. t. XLVIII. p. 185, in his Memoir on the Aliens under the Protection of the State.

<sup>2</sup> See Chap. 7, of the present Book.

<sup>3</sup> Decree of the people in Ussing, Inscr. Gr. Inedd. No. 57, of the period of the twelve tribes; which is to be completed as follows: [τ]ὰς τε εἰσφορὰς ἀπ[ύσας ὅσας ἐψ]-  
ῆφισται ὁ ὄμιος [εἰσενεγκεῖ]ν τοῖς μετοίκους, προθύμως [εἰ]σενήνοχεν.

<sup>4</sup> Pollux, III. 56. In reference to them in general the above-named Memoir of Ste. Croix may be compared.



without actually being citizens, stood next in rank to the citizens. Their names were not enrolled in the registers either of the tribes, and tribal districts, or in those of the phratriæ and clans (*γένη*). Like other foreigners and aliens under the protection of the state, they were, together with the *proxeni*, subject to the jurisdiction of the *polemarch*.<sup>1</sup> Hence we may justly wonder how an acute and learned author could adopt the opinion, that they had the right of voting, and were eligible to the offices of the government.<sup>2</sup> No one but a citizen could vote in the assemblies of the people, and in order to exercise this privilege it was requisite, that the name of the person who claimed it should be entered in the register of a tribe, and of a tribal district. Nor could an *isoteles* sit as a judge in a court of justice. No one can believe the assertion of Ammonius and Thomas, that the *isoteleis* enjoyed all the rights of citizenship except that of eligibility to the offices of government (*τῷ ἄρχεω*), contrary to the common usage, the rights of voting, and judging (*τὸ ἐκκλησιάζειν καὶ δικάζειν*). But they certainly enjoyed privileges in many particulars. They could be appointed compromissorial *diætetæ*;<sup>3</sup> but it is not conceivable, that they could become public *diætetæ*, and there is no example of such appointment.<sup>4</sup> Since it is certain that they needed no patron (*προστάτης*), which is too evident to require any testimony to confirm it, they could transact business directly with the people and the authorities, without, however, for that reason having the right of voting in the assembly of the people. It is evident also, that they enjoyed the right of possessing landed property and mines.<sup>5</sup> In relation

<sup>1</sup> Pollux, VIII. 91.

<sup>2</sup> Wolf, p. LXIX. seq.

<sup>3</sup> Demosth. ag. Phorm. p. 912, near the bottom. Comp. Hudtwaleker v. d. Diæt. p. 2. He also, p. 40 seq., makes it appear probable from Suidas, that foreigners could not become public *diætetæ*. But an *isoteles* was still merely an alien under the protection of the state, and consequently so far a foreigner. Comp. also Meier v. d. Diæt. p. 4 and 11.

<sup>4</sup> We have two lists of the public *diætetæ*, one of which Ross (v. d. Demen. No. 5) published; the other was published in C. I. Gr. No. 172. Bergk has acknowledged the latter to be such a list; but before the publication of the former it was impossible to perceive that it was. Both contain the names of citizens only, arranged according to their tribes.

<sup>5</sup> Book I. 24; III. 23 of the present work.

to the public services and taxes they were, as their name shows, upon an equal footing with the citizens. They paid no money for being protected by the state, nor did they perform any of the services which were required from the aliens under the protection of the state,<sup>1</sup> but only the same as those performed by the citizens;<sup>2</sup> and from them they could be exempted in the same manner as the citizens: for the law of Leptines expressly mentions the exemption of the isoteleis. Their assessments, therefore, must have been registered with those of the citizens, especially if they possessed landed property. They paid the property taxes, according to the rate fixed for the citizens, and not according to that of the aliens under the protection of the state.

With regard to the liturgiæ they were certainly exempted from the humiliating services required from the latter class. They may, in relation to this particular, and also in reference to military service, have been distributed among the tribes.

Moreover, upon the point whether the isoteleis, as is asserted,<sup>3</sup> were compelled to pay a high price for these honorary distinctions, or whether they paid less than the aliens under the protection of the state,<sup>4</sup> it seems impossible to form a determinate judgment; since, according to different circumstances, the one or the other may have been the fact. It is evident, however, that in relation to the property taxes the majority of the citizens, with whom the isoteleis in this respect were upon an equal footing, were rated lower than the aliens under the protection of the state. More particular information with respect to the relations of the isoteleis in reference to the public services was contained in the speech of Lysias against Elpagoras, which is unfortunately lost.<sup>5</sup>

<sup>1</sup> Harpocr. on the word *ισοτελής*.

<sup>2</sup> That is the *τέλος* *ὁρισμένον*, of which Suid. on the word *ισοτελής* speaks, namely, a service, or duty determined according to the assessment, when occasion required. For the other passages of the grammarians and modern authors see Wolf, p. LXX. Lex. Seg. p. 267, has very correctly. *Ἰσοτελεῖς: μέτοικοι τὰ μὲν ξενικὰ τέλη μὴ τελοῦντες, τὰ δὲ ἴσα τοῖς ἀποτοῖς τελοῦντες.* Comp. also Phot.

<sup>3</sup> Wolf, p. LXIX.

<sup>4</sup> Comp. Ste. Croix, p. 190.

<sup>5</sup> Harpocr. on the word *ισοτελής*.

## CHAPTER XI.

## OF THE TRIERARCHY IN GENERAL.

WE will now proceed to consider the extraordinary *liturgia*, the trierarchy. Although this subject has been frequently treated by former scholars,<sup>1</sup> and much light has been thrown upon it by the investigations of Wolf, yet it is necessary to subject it to a new examination, in order to ascertain what the person who performed the service was obliged to furnish to the state, what changes it underwent in different periods, and when they occurred, and what proportion the services to be performed bore to the assessment of the trierarch.

This *liturgia* related to the equipment and management of the ships of war. The person to whom it was assigned was called, by virtue of the same, trierarch.<sup>2</sup> He either himself constantly accompanied the vessel which he had equipped, or what was considered equivalent, sent a proxy, which latter fact has not always been sufficiently noted. The arrangement itself, it is true, occasioned great advantages to the state through the emulation excited among the trierarchs. Since in war, however, the favorable opportunity comes but once, and will not wait for the slowness and delay of the belligerent parties, but must be seized immediately, the auspicious moment was frequently lost on account of the intricacy of the arrangements necessarily connected with the trierarchy.<sup>3</sup> And since the distribution of the burdens was made for the most part upon false principles, until Demosthenes introduced the only just method of regulating them, that is, according to the assessment, many persons were excessively oppressed. The first disadvantage was sometimes avoided, espe-

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<sup>1</sup> I will mention here Sigonius so lucid upon other subjects (*de Rep. Ath.* IV. 4), Petit always confused (*Leg. Att.* III. 4), Budæus (*de Asse, et Part. ejus* V. p. 531 sqq.), Scheffer (*Mil. Nav.* II. 4, and particularly VI. 6), Tourreil (*Notes to his Transl. of the speech on the Crown, in his Works, Par. 1721, t. IV. p. 501 sqq.*), and Barthélemy (*Anach. t. IV. chap. 56*).

<sup>2</sup> Comp. the more exact definition in the *Seurkunden*, p. 167.

<sup>3</sup> Demosth. *Philipp. I.* p. 50, 18.

cially in the more ancient times, by appointing trierarchs beforehand. As trierarchs thus appointed we may consider those to whom Themistocles assigned the duty of building the ships,<sup>1</sup> and also the trierarchs permanently designated for the command of the hundred vessels set apart in Olymp. 87, 2 (B. C. 431) to be constantly kept in readiness for the defence of Attica against any attack that might be made by sea,<sup>2</sup> and lastly the four hundred annual trierarchs mentioned in the ancient treatise upon the Athenian State.<sup>3</sup> This regulation continued even still longer.<sup>4</sup> In Olymp. 107, 1 (B. C. 352), when Demosthenes delivered the first Philippic, the trierarchs were not appointed until a fleet was to be prepared for active service.<sup>5</sup> But yet we find again in a later period permanently appointed trierarchs, or certain ships assigned to particular symmoriæ.<sup>6</sup> The trierarchs were appointed by the generals. The same officers, as the legal authorities in relation to military affairs, brought the trierarchal lawsuits before the appropriate courts.<sup>7</sup>

The services to be performed were without doubt determined by means of a trierarchal diagram according to the laws passed for the occasion. If any person thought that he was too heavily burdened, in comparison with another individual, who in his opinion could more easily perform the liturgia than himself, he could demand that a mutual exchange of property should take place between them. In extreme cases those thus burdened addressed supplications to the people, or fled for refuge to the altar of Diana in Munychia.<sup>8</sup> Those who were tardy in the performance of this service could be imprisoned by the officers who were charged with the duty of

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<sup>1</sup> Polyæn. Strateg. I. 30, 5. For the other passages relating to this particular, and some further information, and remarks concerning it, see my *Abhandlung über die Laurischen Silbergruben*.

<sup>2</sup> Thuc. II. 4.

<sup>3</sup> 3, 4. Since I assign the time of the Peloponnesian war as the date of this treatise, I have no occasion for saying here, that these trierarchs did not belong to the later periods.

<sup>4</sup> See the *Seeurkunden*, p. 168.

<sup>5</sup> Demosthenes *ut sup.*

<sup>6</sup> See the *Seeurkunden ut sup.*

<sup>7</sup> Schol. Aristoph. Knights, 908; Demosth. ag. Lacrit. p. 940, 16; ag. Bæot. concern. his Name, p. 997, 2; Suidas on the phrase *ἡγεμονία δικαστηρίων*, 1st article.

<sup>8</sup> Demosth. on the Crown, p. 262, 15, and Ulpian on the same. Compare concerning the place mentioned, Lys. ag. Agorat. p. 460.



expediting the preparation of the fleet, and of despatching it (*ἀποστολαίς*).<sup>1</sup> On the other hand, to those who first launched their vessels, or whose conduct in the performance of the duties of the trierarchy was otherwise meritorious, trierarchal crowns were awarded.<sup>2</sup> For this reason each trierarch strove to gain the precedence of the rest in the performance of his duties. The trierarch was by law exempt from the other *liturgiæ*,<sup>3</sup> including the advance of the property taxes.

The duration of the trierarchy was, according to law, for the term of one year. After that period the person appointed the successor (*διάδοχος*) entered upon the service. If the ship was absent, he was obliged to go to it, to take the command of it, and to undertake, under pain of a severe punishment in case of a refusal, the fulfilment of the obligations of his predecessor. If a person continued the performance of this service beyond the legal term, he could charge the expenses of the period during which he thus served beyond the requirement of the law (*τοῦ ἐπιτρομαρχήματος*) to his successor.<sup>4</sup> The trierarchy was terminated (*τρίηρον καταλυσίς*), according to law, if the general neglected to furnish pay for the crew, and also if the ship was brought into the Piræus; because in that case the crew could no longer be kept together.<sup>5</sup> As no person was obliged to perform the public services (*λειτουργίαι*), in general, oftener than every other year;<sup>6</sup> so, at least in the latter times of Isæus,<sup>7</sup> a citizen could not be compelled to resume the service of the trierarchy until after an inter-

<sup>1</sup> Demosth. ut sup. and Taylor on the same, also on the Trierarch. Crown, p. 1229, 6. In the latter passage it is mentioned, that by a decree of the people imprisonment was ordered for those, who should not bring their vessels to the pier (*γῶμα*) before the last day of the month. For the *ἀποστολαίς*, comp. Seeurkunde, XIV. b. 20, in the decree of the people.

<sup>2</sup> See the Seeurkunden, p. 171.

<sup>3</sup> Book III. 21.

<sup>4</sup> Demosth. ag. Polycl. To this Lex. Seg. refers (*δικ. δνόμ.*) p. 193, 30 : *τρίηράρχημα* : *ὅταν ὁ τρήραρχος περισσὸν δίδωσι τοῖς ναύταις* ; an extremely incorrect explanation, but not too incorrect for the compiler of this little dictionary. The thing itself was called *ἐπιτρίηράρχημα*, not *τρίηράρχημα*. Harpoer. and Phot. on the word *τρίηράρχημα* express themselves better.

<sup>5</sup> Demosth. the same, p. 1209. Comp. Isocr. ag. Callimach. 23.

<sup>6</sup> *Ἐνιαυτὸν διαλειπών* says Demosth. ag. Lept. See Book III. 21, of the present work.

<sup>7</sup> Isæus concern. the Est. of Apollodor. p. 184. *ὄσο ἐτη καταλιπών*. Comp. also Book III. 22.

val of two years. Many persons, however, did not avail themselves of this privilege.<sup>1</sup>

Exemption from the performance of this service by virtue of the ancient law which was still in force in Olymp. 106, 2 (B. c. 355), when Demosthenes delivered his speech against Leptines, was not granted; not even to the descendants of Harmodius and Aristogiton. The only exception was in favor of the nine archons, as the highest authorities of the state.<sup>2</sup> Hence it is evident that all enjoyed an exemption, independent of their will or choice, whose property was below the amount, the possession of which was required by the laws at the time in force for the performance of this service. It is evident, also, that Demosthenes in the speech just mentioned did not include those exemptions which were not personal, but were founded upon circumstances specified by law, and the abolition of which was not even comprised in the plan of Leptines; for otherwise, the orator would not have left that point untouched. Demosthenes, in his speech concerning the symmoriæ,<sup>3</sup> which was delivered in Olymp. 106, 3 (B. c. 354), enumerates the cases in which a citizen or his property was not subject to the performance of the service of the trierarchy, or to the defrayment of the expenses of the same. Among these was the case of the incapacity of an individual (*εἴ τις ἀδύνατος*). By this we are certainly not to understand physical incapacity,<sup>4</sup> for this could exempt only from

<sup>1</sup> Concerning the practice in relation to this particular during the period of the symmoriæ, see p. 175 seq.

<sup>2</sup> Demosth. ag. Lept. § 15 (p. 462, 15), § 22 (p. 464, 29), § 23 (p. 465, 18).

<sup>3</sup> P. 182, 14. That the words which follow are of the neuter gender, is shown by the employment of the expression *ὀρφανικῶν*. If the masculine gender had been intended, *ὀρφανῶν* would have been the expression used. But the best manuscripts, among others the manuscript Σ, have *ὀρφανικῶν*. From the fact that the word *ἐπικλήρων* is used, not *ἐπικληρικῶν*, the conclusion does not follow, that the word *ὀρφανῶν* also was written in the text. Pollux has the same correct understanding of the matter, and Harpocration, also, on the word *κληροῦχοι*. But the latter on the word *κοινωνικῶν* incorrectly considered the same as of the masculine gender. The noun *χρήματα* is to be understood. Comp. Pollux, VIII. 134, 136. Photius and Suidas on the words *κληροῦχοι* and *κοινωνικῶν*, have merely transcribed what is contained in Harpocration on the same words.

<sup>4</sup> If the expression were not barely *ἀδύνατος*, but *ἀδύνατος τῷ σώματι*, as in Xenoph. Hipparch. 9, 3, then of course physical incapacity would have been meant. The passage of Xenophon, therefore, may not justly be cited in opposition to my explanation. The same explanation is adopted also by Parreidt de Symmor. p. 29.

personal service, but not from contributing in the symmoriæ. Insufficiency of property is undoubtedly meant; since a man possessed of an amount of property which subjected him to the performance of the service of the trierarchy, might through misfortunes become reduced in his circumstances. Beside this case, the property of heiresses (ἐπικληρίων), of wards (ὀρφανικά), of cleruchi (κληρουχικά), and property possessed by two or more persons in common (κοινωνικά), also, were exempt from this public service. For all these exemptions together he deducts eight hundred persons from the two thousand whom he proposes to bring into the trierarchal symmoriæ. The property of heiresses could be exempted only so long as there was no husband in the enjoyment of the usufruct or possession of it. If the heiress was married, of course her husband, as usufructuary, was obliged, so long as the wife had no sons of age, to bear, as in the case of dowry, the burdens attached to the property. If the heiress had sons, these, even although their father or mother or both were still living, came into the possession of the property inherited by their mother so soon as they had arrived at the age of majority prescribed for all the citizens without distinction (ἐπιδίετες ἡβόντες), and their names were registered in the lexiarchicon.<sup>1</sup> Orphans were exempt from the performance of all liturgiæ during their minority, and for one year longer.<sup>2</sup> Hence Demosthenes, during the ten years of his pupilage, only paid property taxes, but performed no liturgia, not even the service of the trierarchy, although his family had been subject to the performance of that service,<sup>3</sup> and he himself, after he had arrived at his majority, became a trierarch. By the property of cleruchi Harpocration understood, we presume correctly, the property of those who were sent out by the state as cleruchi, and who, therefore, being absent attending to public business, could not perform the service of the trierarchy. I conjecture, however, that only that portion of their property was exempt which was specified as having been taken with them. If, beside this, they left at home in Athens so much property as would enable them to pay the contributions required in the symmoriæ, I can see no reason why this property should

<sup>1</sup> See the passages in my "Abhandlung über die Ephebie."

<sup>2</sup> Lysias ag. Diogeiton, p. 908.

<sup>3</sup> Demosth. ag. Aphob. p. 833, 26. Comp. Lucian, the Eulogy of Demosth. 11.

be exempted, since the cleruchi were citizens. The objection, that Demosthenes in the passage cited cannot have had reference to the property taken with the cleruchi to a foreign land, because, as a matter of course, this could not have subjected a person to the performance of the service of the trierarchy, is raised from viewing the subject in an aspect different from the one intended. Demosthenes did not intend to enumerate the various descriptions of property which were exempt from contributions for the performance of the service of the trierarchy, but what circumstances might occasion failures in the performance of that service. Among these he specifies, that beside the legal exemptions, these failures occurred, when by the sending out of cleruchi property left the country; the same as when a person became incapacitated. This last case, also, Demosthenes cites, notwithstanding this also was a matter of course, that he who did not possess the requisite amount of property could not belong to a *symmoria*. What is meant by common property seems a point of some uncertainty. Pollux<sup>1</sup> states that it was a legal expression, and associates it with other words, which denote property enjoyed in common with others, without being divided. This is but a meagre explanation of the term. Most probable is the conjecture of Harpocration, that the term signifies the property of brothers, not yet divided among them, which had been sufficient to enable the father to perform the *liturgia*, but was not large enough to enable the sons individually to defray the expenses of the same.<sup>2</sup> Perhaps, he adds, it was employed also in relation to those persons who had formed a voluntary connection for trade, or for some other purpose, the assessment of each of whom was not equal to that of the whole amount of their common property. Is it conceivable, however, that such persons could in that way obtain any exemption; since in that case every person, in order to avoid the performance of the public services, could have invested his property, either in separate portions or entire, in such partnerships.

<sup>1</sup> VIII. 134. In this passage are connected with it *ἀνέμητα χρήματα, καὶ κοινά, ἐπίκοινα, οὐ διηρημένα*.

<sup>2</sup> Comp. the speech ag. *Euerget.* and *Mnesib.* p. 1149, 20, *ἡρόμην αὐτόν, πότῃ μεμερισμένος εἴη πρὸς τὸν ἀδελφόν, ἢ κοινῇ οὐσίᾳ εἴη αὐτοῖς*, and in the immediately subsequent context, *ὅτι νεμερημένος εἴη*.



That every person who owned a share of the collective property of a company should be required to include his portion of the same in computing the amount of his assessment, and to pay taxes on it, as is done at the present day upon shares in the public stocks, would be much more analogous to the nature of the trierarchal institution. Such portions of property, therefore, could not have been disregarded in reference also to the obligation of performing the service of the trierarchy, in so far as property was taken into consideration in relation to that service; and with more or less particularity it was always taken into consideration. Suppose that a person had two talents invested in each of six companies, ought not these twelve talents to be included in the computation of the amount of his property? Finally, it hardly needs to be remarked, that the possession of mines, since they were excepted from the application of the laws relating to the exchange of property, did not subject their possessors to the obligation of performing the service of the trierarchy.

The obligation of the trierarchs to render an account is a peculiarity which we must not omit to notice.<sup>1</sup> This excites our astonishment, especially when we find the remark added by Æschines, that the trierarch, as was universally acknowledged, employed his own property for the benefit of the commonwealth. But our astonishment is diminished, and we perceive that this was a wise and necessary provision of the law, when we consider how manifold were the relations of the trierarch to the state in reference to money and other valuable property. He received from the state the ship of war, and sometimes also the equipments. With what propriety could these be intrusted to him without requiring him to account for them? He received money from the treasury of the state, whether it was for the payment of the seamen and soldiers or for other occasions. For example, we find an instance mentioned in Demosthenes, where thirty minas were paid to each trierarch, and it is stated in an inscription that an equal sum was given to a trierarch as early as Olymp. 92, 3 (B. C. 410);<sup>2</sup> and even in the age of Themisto-

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<sup>1</sup> Æschin. ag. Ctesiph. p. 407 seq.; Demosth. ag. Polycl. p. 1222, 11.

<sup>2</sup> Demosth. on the Trierarch. Crown, p. 1231, 13; Beilage I. Pryt. 9. Comp. also Beilage VII. § 5 in Böckh's St. d. Athen. Vol. II.

cles, a talent out of the revenues from the mines was given, for the purpose of building and equipping ships, to each one of a number of wealthy men. The trierarch distributed the pay and subsistence money, with which it was the duty of the general to supply him, to the whole crew,<sup>1</sup> or he furnished them provisions,<sup>2</sup> of course at the cost of the state.

Treasurers of the trierarchs are also mentioned,<sup>3</sup> whose duty it was to keep the accounts of the latter, although we do not certainly know whether every trierarch or only the trierarchs of the sacred triremes had such assistants. From the fact that the person represented as the speaker in the speech against Polycles,<sup>4</sup> himself kept the accounts of the expenses of his trierarchy, we may not conclude that he had no treasurer. But it would be still more natural that the trierarchs of the sacred triremes should be accountable, if the state in relation to those triremes was the party that performed the liturgia.<sup>5</sup> Those trierarchs<sup>6</sup> would then be only the representatives of the state, as commanders and officers. Nevertheless I consider the assertion that the state was trierarch for the sacred triremes untenable.<sup>7</sup> The obligation of the trierarchs of the sacred triremes to render account was, therefore, not greater than that of the other trierarchs, except in so far as they received money to be employed in particular services not within the ordinary round of duties appertaining to the trierarchy. And the treasurers of the sacred triremes, who, independently of the expenses of the trierarchy, had the charge and disbursement of public moneys, were, of course, although they did not always appear to be the very persons who rendered the account, specially responsible. Moreover, all the trierarchs

<sup>1</sup> Demosth. ag. Polyel. p. 1209, 10.

<sup>2</sup> Plutarch on the Glory of the Athen. 6.

<sup>3</sup> Eupolis in Harpocr. on the word *ταμίαι*, to omit those authors who transcribe from him. Comp. Book II. 6.

<sup>4</sup> Demosth. ag. Polyel. p. 1216, 15.

<sup>5</sup> Ulpian on Demosth. Mid. p. 686, ed. Wolf.

<sup>6</sup> That no one may have any doubt whether also the sacred triremes had trierarchs, I will quote as examples the trierarch of the Salaminian trireme mentioned by Plutarch in his Life of Themistocl. 7; of the Paralus mentioned by Isæus concern. the Est. of Dicæog. p. 90; of the Delian Theoris, Beilage VII. § 5. Comp. also the Securkunden, p. 169. In general, no ship of war could be without a trierarch; for he was not only the person who defrayed the expenses, but always at the same time military commander, the captain of the vessel.

<sup>7</sup> See the Securkunden, p. 168 sqq.

were certainly bound, if any doubt was raised against the correctness of their proceedings, to show that they had performed the services required by law. Finally, the case sometimes occurred, although unfrequently, that the trierarch did not receive from the state those supplies which he should have received, but defrayed all expenses from his own money. But even in this case he was not exempted from the obligation to render account. The assertion of Demosthenes in his speech on the crown,<sup>1</sup> that no one was under an obligation to account for what he had expended of his own money, is in itself entirely correct; but the conclusion does not follow from that truth, that the expenditure of one's own money exempted from the obligation to render account.

The conclusion derived by Demosthenes from the above-mentioned principle that Ctesiphon had not violated the law which prohibited the crowning of a person liable to be called upon to render an account of his expenditure of public moneys, because he had not proposed that the former should be crowned for those expenditures of which he was under obligation to render an account, but for those which he had made from his own money, those pecuniary gifts which he had presented to the state, is, by the way, also mere sophistry. On the contrary it might be fully shown, if required by the subject under consideration, that the accusation of Æschines against Ctesiphon in this particular was in form perfectly just. To mention but one reason, which, without reference to the object of the advocate of Ctesiphon, is important in relation to the subject under consideration, a case might have occurred where a person was able to show that he had expended a large sum of his own money, while upon another occasion he may have embezzled a large amount of the public money. It was, therefore, requisite, even when a person claimed that he had added sums of his own money, that an account should be rendered, in order that it might be made evident that nothing had been received, or that what had been received had been duly employed.

This may be fully applied to the trierarchy. Every trierarch was obliged to add sums of his own money in defraying the expenses connected with his trierarchy. Nevertheless, according to

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<sup>2</sup> P. 264.

the most express testimony of Æschines, and of the speech of Demosthenes against Polyces, he was under obligation to render account. Even if a trierarch had received nothing from the state, he was nevertheless obliged to render an account. Every public officer who asserted that he had received nothing from the state, and consequently the trierarch also, who, in relation to accountability, was placed upon the same footing with the civil officers, was required by an express provision of the law to hand in to the board of auditors, or to enter upon its record, his declaration "that he had neither received nor made use of any property belonging to the state," (*ὅτι οὐτ' ἔλαβον οὐδὲν τῆς πόλεως οὐτ' ἀνήλωσα*).<sup>1</sup> This requirement was made for the purpose of giving any one who wished it an opportunity of contesting the truth of this declaration. "For there is no business of the state," says Æschines with perfect truth, after quoting this passage of the law, "which does not subject the agent to accountability, or which is free from investigation and examination."

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## CHAPTER XII.

FIRST FORM OF THE TRIERARCHY, OR THE TRIERARCHY OF SINGLE PERSONS. SECOND FORM OF THE TRIERARCHY, OR THE TRIERARCHY IN PART OF SINGLE PERSONS AND IN PART OF TWO SYNTRIERARCHS FROM OLYMP. 92, 1 (B. C. 412) TO OLYMP. 105, 3 (B. C. 358).

THE duties pertaining to the trierarchy, which is mentioned as early as the times of Hippias,<sup>2</sup> were probably at first performed in rotation in a determinate order by Solon's forty-eight naucrariæ, and the fifty naucrariæ of Cleisthenes, each naucraria having

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<sup>1</sup> Æsch. ag. Ctesiph. p. 414. I have added these remarks for the purpose of correcting what Parreidt de Symm. (p. 31 seq.) has alleged, as well as some other remarks, the occasion of presenting which I do not mention.

<sup>2</sup> Aristot. Econ. II. 2, 4.



been obliged to furnish a ship.<sup>1</sup> The trierarchy for five ships of war, therefore, was assigned to each of the ten tribes. But when the naval force was gradually increased to two hundred vessels, which was the number in active service at the date of the battle of Salamis, the trierarchs were multiplied.

For a long time, however, each ship had but one trierarch. Subsequently, in order to divide the expenses, two persons were allowed to serve together as trierarchs (*συντριράρχοι, συντριράρχουντες*), and then one of them served on board the ship instead of them both, or each of them the half of the year.<sup>2</sup> No information has been transmitted to us in reference to the date when this was first allowed. Since, however, in Olymp. 92, 1 (B. C. 412) after the defeat in Sicily the union of two persons for the performance of the duties of the choregia was allowed,<sup>3</sup> and no example, and not even a trace is found of the performance of *liturgiæ* by several persons jointly at an earlier date, probably at that date the

<sup>1</sup> See Book II. 21. *Ναύκαραι* were properly *masters of ships* (*ναύκληροι*), or their proxies. But the manner in which the presidents of the subordinate political communities, in whose stead the tribal districts were afterwards substituted, came to be thus named, appears to have been the following. The Athenian citizens were at first divided into forty-eight, afterwards into fifty corporate bodies, and to each of them a ship was assigned to be manned by them. But one of the company, who was to be a wealthy man, was obliged in his turn either alone, or with the aid of the rest of his company, to equip the ship, and was thus, while in the performance of that duty, the master of the ship (*ναύκληρος, ναύκαρος*), and the company assigned to the duty of assisting him was the *naucaria*, or *naucraria* (*naucleria*), and he was of course its foreman, or president. Photius justly compares the *naucariæ* with the *symmoriæ*. The derivation of the word *ναύκληρος* from *ναίω*, which is adopted by some scholars, can by no means be verified. For *ναύκληρος* does not even signify *the owner of a house*. The only reason for concluding that it has that signification could have been derived from no other source than an inaccurate edition of Pollux. And yet this signification the word should have, if it were derived from *ναίω*, to inhabit, and if at the same time the political use of the word is to be explained from this etymology. The only signification of *ναύκληρος*, in this use of it, is one who has hired a whole house for the purpose of subletting its apartments. See Book I. 24, III. 2, of the present work, where also another signification ascribed to it by some is mentioned. These latter, provided they are considered two different significations, are very naturally to be explained, as others have already shown, by the transfer which occurred of the original signification of ships, connected with one of the component parts of the word, to that of houses. Hence even the word *ναῦλον* is used to denote money paid for the hire of a dwelling.

<sup>2</sup> Demosth. ag. Polycl. p. 1219, near the top; p. 1227, near the bottom.

<sup>3</sup> Book III. 21, of the present work. Manso (Sparta, Vol. II. p. 501) expresses the opinion that there were also sometimes four trierarchs upon one ship. But he has formed this opinion from arbitrarily combining accounts which have no connection.

same practice which was allowed in the performance of the duties of the choregia was permitted in relation to the more expensive trierarchy. The most ancient account of the joint performance of the duties of the trierarchy by two persons, or of a syntrierarchy relates to the date Olymp. 92, 2 (B. C. 411); for in that account Lysias is speaking of the syntrierarchy, the expenses of which the guardian of the children of Diodotus, who was slain, while fighting under the command of Thrasyllus, at Ephesus in Olymp. 92, 2 (B. C. 411), charged to those children.<sup>1</sup> The next account, which is in Isocrates,<sup>2</sup> relates to the year, in which the battle of Ægospotami was fought, Olymp. 93, 4 (B. C. 405), and to the same form of trierarchy is to be referred a passage in Xenophon,<sup>3</sup> which relates to a date prior to Olymp. 95, 1 (B. C. 400). This practice continued for a very long period. We find that it was still in existence when Demosthenes instituted the lawsuit against Aphobus in Olymp. 104, 1 (B. C. 364),<sup>4</sup> also in Olymp. 104, 4 (B. C. 361),<sup>5</sup> and even in Olymp. 105, 3 (B. C. 358). In the latter year occurred the Eubœan war, in which the Athenians supported one of two parties against the other, and against Thebes,<sup>6</sup> and voluntary trierarchs served Athens for the first time, because a sufficient number of legally appointed ones could not be obtained.<sup>7</sup> But Demosthenes, as one of these vol-

<sup>1</sup> Lysias ag. Diogeit. p. 907-909. The date is apparent from p. 894-7; comp. with Xenoph. Hellen. I. 2; on which see my note to Beilage I. Pryt. 9, Vol. II. St. d. Ath.

<sup>2</sup> Isocr. ag. Callimach. 23.

<sup>3</sup> See Chap. 15 of the present Book, near the end.

<sup>4</sup> Demosth. ag. Mid. p. 564, 20. Comp. ag. Aphob. II. p. 840, 26 sqq., ag. Mid. p. 539, near the bottom.

<sup>5</sup> Demosth. ag. Polycl. p. 1218, 14. Comp. 1219 near the top, and line 18, also p. 1227.

<sup>6</sup> Diodor. XVI. 7. In relation to the same war we may cite also Demosth. Olynth. I. p. 11, (comp. Schol. Aristid. p. 298. Dindf.); ag. Androt. p. 597, 18; for Megalop. p. 205, 25; on the Cherson. p. 108, 12; ag. Mid. p. 570, 23: *ὅτε τὴν ἐπὶ Θηβαίων εἰς ἐξοδὸν εἰς Εὐβοίαν ἐποιεῖσθε ἡμεῖς*; Aristid. Panath. Vol. I. p. 179. Jebb. Ulpian upon Mid. as last cited, says correctly: *ἐγένετο γὰρ καὶ διὰ τὸν Πλούταρχον ἑτέρα (ἐξοδος)*. For in that passage the later expedition in favor of Plutarch is not meant, but the one undertaken in Olymp. 105, 3 (B. C. 358). In the later expedition Midias was trierarch, at his own expense, of the ship which he had presented to the state; in the earlier expedition he was the treasurer of the Paralus. Spalding (on Mid. p. 131) corrects Ulpian without reason; for the only way in which I can understand him is by supposing that he thought that there were two expeditions undertaken in behalf of Plutarch. He does not seem, however, to have had a very clear view of the matter.

<sup>7</sup> Demosth. on the Crown, p. 259, 12; ag. Mid. p. 566, 23.

untary trierarchs, had a syntrierarch whose name was Philinus.<sup>1</sup> Although this was a voluntary service, yet there can be no doubt that the form of the ordinary trierarchy which was at that time prevalent, was maintained. Also in the speech against Euergus and Mnesibulus<sup>2</sup> two syntrierarchs, Theophemus and Demochares, are mentioned in connection with a transaction which occurred in Olymp. 105, 4 (B. C. 357). They are represented to have been still indebted to the state for ships' equipments furnished them in a former trierarchy, and they probably not a long time prior to the date of the speech, had performed the service of the syntrierarchy.<sup>3</sup> Finally, it cannot appear strange, that even after the introduction of the symmoriæ instances are found, where the immediate execution of the duties of the trierarchy was committed to two syntrierarchs.

It hardly need be remarked, however, that the syntrierarchy of two persons was for the most part merely an expedient, employed when there was not a sufficient number of wealthy citizens, able singly to perform the duties of the trierarchy, and that many examples occur, between Olymp. 92, 1 (B. C. 412) and 105, 3 (B. C. 358), of the performance of the same by one individual. Of these I will call to mind only the trierarchy of Apollodorus in Olymp. 104, 3 (B. C. 362),<sup>4</sup> and two passages of Isæus, in which, in relation to this period, the trierarchy of individuals and the syntrierarchy are mentioned as contemporaneous.<sup>5</sup> Apollodorus, however, indicates with sufficient distinctness that he had actually served, together with another person, as a syntrierarch.<sup>6</sup>

Concerning the services which the trierarch was required to

<sup>1</sup> Demosth. ag. Mid. p. 566, 24.

<sup>2</sup> P. 1145, 22 sqq. In this passage (p. 1146, 20) *πολὸν χρόνον* should be taken only relatively, and cannot denote any very long time.

<sup>3</sup> For another example of the syntrierarchy of two persons, which occurred probably about this date, see Seurkunde, No. III. b.

<sup>4</sup> Demosth. ag. Polycl.

<sup>5</sup> Concern. the Est. of Dicæog. p. 110, *ἀλλὰ μὴν τριηράρχων τοσούτων κατασταθέντων οὐτ' αὐτὸς ἐτριηράρχησεν οἷθ' ἑτέρῳ συμβέβληκεν ἐν τοῖς τοιούτοις καιροῖς* (after the anarchy). *Συμβάλλειν* is said of the syntrierarchy; comp. *συμβαλέσθαι* in Lysias ag. Diogeit. p. 908, 909. See also the same Isæus concern. the Est. of Apollodorus, p. 184, *ὁ μὲν γὰρ πατὴρ αὐτοῦ — τριηραρχῶν τὸν πάντα χρόνον διετέλεσεν, οὐκ ἐκ συμμορίας τὴν ναῦν ποιησάμενος ὥσπερ οἱ νῦν* (after Olymp. 105, 4, B. C. 357), *ἀλλ' ἐκ τῶν αὐτοῦ δαπανῶν, οὐδὲ δευτέρος αὐτὸς ὢν ἀλλὰ καταμόνας.*

<sup>6</sup> Demosth. ag. Polycl. p. 1219, 9.

perform down to the date Olymp. 105, 3 (B. C. 358), there can no doubt exist. The state at all times furnished the ship. When Themistocles, with the revenue derived from the mines, caused ships to be built for the Æginetan war, the building, together with the entire equipment of them, was committed to one hundred wealthy citizens, that is, to the trierarchs appointed for that purpose: but they were paid for the building of the vessels; since, according to Polyænus, each of them received a talent. The law of Themistocles directed that twenty new ships should be built annually; and so far as we can follow the subject during the independence of Athens, the ship-building was continued on the part of the state.<sup>1</sup> All the ships at the docks of the state were the property of the same. Very wealthy private individuals possessed, indeed, triremes of their own; for example, Clinias, who fought with one belonging to himself at Artemisium. But the very circumstance, that it is particularly remarked<sup>2</sup> that he served with his own ship, shows that the law required the state to furnish the vessel. Those possessed by private persons were built by themselves, either voluntarily as a present for the state, or for their own use in its service, for privateering, or for similar objects, or for sale. The same was the practice in the Peloponnesian war. Those hundred triremes, which in accordance with a decree of the people were, after Olymp. 87, 2 (B. C. 431), kept in readiness to defend Attica in case an attack was threatened by sea, were evidently ships provided by the state, and special trierarchs were appointed for them when they were in readiness.<sup>3</sup> In the Knights of Aristophanes<sup>4</sup> (Olymp. 88, 4, B. C. 425), Cleon threatens his adversary, that he would make him a trierarch, and would cause him to receive an old ship, upon which he should be obliged to expend a large amount of money in constantly repairing it, and that he should also receive a rotten mast. The hull and mast, therefore, were at that date furnished by the state. In the expedition against Sicily, in

<sup>1</sup> Comp. concerning the building of the ships, Book II. 19, of the present work.

<sup>2</sup> Herodot. VIII. 17; Plutarch, Alcib. 1.

<sup>3</sup> This alone can be the meaning of Thuc. II. 24.

<sup>4</sup> Vs. 908 sqq. Of course this refers only to the repairs made upon the voyage, and those which should be necessary when the ship was to be delivered to the successor, or to the state. According to the regular method of proceeding, at least, the ship was to be delivered to the trierarch in a sea-worthy condition.



Olymp. 91, 2 (B. C. 415), the state furnished, beside the pay of the crews, the bare vessels, the trierarchs provided all the equipments, and bestowed presents upon the seamen of sums of money in addition to their pay.<sup>1</sup> And when after the battle of Ægospotami, in Olymp. 93, 4 (B. C. 405), a trierarch boasted<sup>2</sup> of having saved his ship, who does not perceive that he refers to the saving of property belonging to the state? The same person, together with his brother, considered their furnishing the pay for the crew of the ship a purely voluntary service. Consequently, the state at that period furnished the pay and subsistence-money and the hull of the ship, together with the mast; but the trierarch provided at the most the equipments,<sup>3</sup> and was required, as Cleon's threat shows, to keep the ship in good condition.

We may assume that this, at the most, was the practice during the succeeding periods, also, until Olymp. 105, 3 (B. C. 358), and yet we cannot assume that it was the practice during the whole of that time. The inexact expressions of the ancients, however, who always presume that their readers have more knowledge of the subjects which they treat than we possess, have confused subsequent authors, from the blundering Ulpian to the discerning editor of the speech against Leptines. Demosthenes, in his speech against Midias,<sup>4</sup> says, that when he was trierarch, in Olymp. 104, 1 (B. C. 364), the trierarchs defrayed the whole expenditure, and were obliged to furnish the complements of men for their vessels (*πληρώματα*), and, if we will give heed to Ulpian upon this passage,<sup>5</sup> the state sometimes furnished the equipments and the seamen, and sometimes nothing at all, but the trierarch provided every thing; consequently, as must be concluded from his words, even the ship, pay, and subsistence-money. But the matter stands as follows. Ulpian, as usual, has no authority for his statement, but, by the application of a singular logic, infers the whole of it from the words of Demosthenes. But Demosthenes, when he speaks of the whole ex-

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<sup>1</sup> Thucyd. VI. 31.

<sup>2</sup> Isocr. ag. Callimach. 23.

<sup>3</sup> I say *for the most part*; for it may not absolutely be denied, that even in the period of the Peloponnesian war equipments may have been given by the state.

<sup>4</sup> P. 564, 22.

<sup>5</sup> P. 680, A.

pense, means in opposition to the later form of the trierarchy by companies (*symmoriæ*). While these existed, the commonwealth furnished the equipments, and manned the vessel, beside which the trierarch who took the command of the ship caused contributions to be delivered to him by the company (*symmoria*) with which he was connected; consequently, he did not defray the whole expense. Moreover, when mention is made of the whole expenditure, of course only the entire expenditure can be intended which, in general, was customary. But the state always furnished the pay together with the subsistence-money, and the hull of the ship, as well before the trierarchy of Demosthenes, as during the period of the institution of the *symmoriæ*. Neither of these expenses, therefore, could have been suggested to a hearer of Demosthenes by the above-mentioned expression. In short, Demosthenes meant by the expression "the whole expenditure" nothing more than the expenses which might be incurred from furnishing the equipments of the vessel, in case the state did not, as it was bound to do, provide any, from keeping the ship in repair, and from procuring the crew. But the latter the trierarch was not allowed to engage in a foreign country; but was obliged to select them entirely from the native population. This both occasioned trouble and vexation, and sometimes in individual cases it was necessary to pay a bounty. Even the equipments of the ship were in Olymp. 104,  $\frac{3}{4}$  (B. c. 361), in pursuance of a legal enactment, furnished by the state.<sup>1</sup>

That this must be the meaning of the orator is evident both from the account of the expenses of the trierarchy of Demosthenes, and from the speech against Polycles. When Demosthenes had passed the age of boyhood, and he began to prosecute his guardians, Thrasylochus, the brother of Midias, wished to compel him, either to the exchange of property, or to the assumption of the trierarchy. Demosthenes at first chose the former, with the reservation of his claims upon his guardians, but immediately afterwards he changed his determination for a reason which need not here be mentioned, and preferred to undertake the performance of the service of the trierarchy. It

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<sup>1</sup> For proof that this had been done even at an earlier date, although not always nor completely, see the *Seurkunden*, p. 201 seq.

was let, however, to a contractor for twenty minas.<sup>1</sup> But it was a syntrierarchy,<sup>2</sup> so that the whole trierarchy cost forty minas. How, then, can it be conceived, that the expenses of a trierarchy could ever amount to merely so small a sum as this, if both the ship and pay and subsistence-money were to be supplied by the trierarch, when the furnishing of the pay and subsistence-money alone, for a single month, involved an expenditure of at least forty minas? Moreover, the speech against Polycles, which has reference to transactions that occurred in Olymp. 104,  $\frac{3}{4}$  (B. C. 361), contains the clearest account of the public services at that time required by law. There is not in it the most distant allusion to an obligation to furnish the ship, but we learn from it that the trierarch was required to launch it (*καθελκεν*).<sup>3</sup> The crew was cited from the district (*δημος*); but since only a few of them, and those not able-bodied men, appeared at the appointed time, Apollodorus hired seamen on his own account.<sup>4</sup> He also voluntarily provided their pay, because the generals had furnished him only the subsistence-money, and, within the period of seventeen months, no more than two months' pay.<sup>5</sup> Finally, he defrayed many other expenses to which he was not liable, for example, in hiring fresh seamen at different places.<sup>6</sup> He also supplied the equipments of his vessel himself;<sup>7</sup> and this was likewise done by

<sup>1</sup> Demosth. ag. Mid. p. 539 seq.; ag. Aphob. II. p. 840 seq. This Thrasylochus was three years later, in Olymp. 104, 4 (B. C. 361), himself trierarch. Speech ag. Polycl. p. 1222.

<sup>2</sup> Demosth. ag. Mid. p. 564, 20, *καὶ γὰρ μὲν κατ' ἐκείνους τοὺς χρόνους τριηράρχουν, εὐθὺς ἐκ παίδων ἐξεληθὼν, ὅτε σὺν δυο ἡμῶν οἱ τριηράρχοι*, etc. Here, also, has Ulpian again drawn some sage conclusions. He assumes (p. 660, E-G) that there was a syntelia of three persons, each of whom contributed twenty minas, in order to make up the sum of a talent, because there is a single statement in another place that a trierarchy was let to contractors for a talent! As if this was a standing price, and Demosthenes did not clearly enough say that there were two persons who performed the trierarchy. Spalding, also, upon Mid. p. 41, has allowed himself to be led into error. Moreover, the words in the speech ag. Mid. p. 540, 18, *ὅσων τὴν τριηραρχίαν ἤσαν μεμισθωκότες*, refer to Thrasylochus and Midias, the latter of whom was aiding his brother, as an accomplice, and had no further participation in the trierarchy. Midias, as Demosthenes, p. 564, informs us, was not trierarch until the introduction of the companies (*symmoriæ*).

<sup>3</sup> P. 1207, 13.

<sup>4</sup> P. 1208.

<sup>5</sup> P. 1209.

<sup>6</sup> P. 1210 sqq.

<sup>7</sup> P. 1208, 17; 1217, 15.

others,<sup>1</sup> and hence they were afterwards let by them to their successors. But other trierarchs, in this very period, received the equipments of their vessels from the state, and in the speech concerning the trierarchal crown,<sup>2</sup> which has reference to this same trierarchy of Apollodorus, it is expressly said, that the law required that the state should furnish the equipments. This is evident, also, from the circumstance, that in Olymp. 105, 4 (B. C. 357), equipments received by the trierarchs at a previous date, and for which they were indebted to the state, were demanded of them.<sup>3</sup> Since Apollodorus had himself provided the equipments of his ship, he could require of his successor that he should either bring new equipments with him, or purchase the old from himself.<sup>4</sup> In reference to the ship itself, there is nowhere any trace of purchasing or hiring, but Apollodorus demanded of his successor merely that he should take charge of the vessel according to law, in order that he might at length be relieved from his trierarchy, the duties of which he had already performed beyond the legal term.

Consequently, it hardly needs repeating, that at that date the preservation and repairing of the ship and its equipments were required of the trierarchs by law, while, on the other hand, expenditures on their part for other purposes were purely voluntary. But those duties were attended with no small expense, since they frequently received injured or decayed ships, and in voyages and battles much damage was received.

And of the unjust treatment which one might receive in this particular, if he was rich and ambitious, and also perhaps a new citizen, as was Apollodorus the son of Pasion, this individual himself furnished a remarkable example: for his statements bear the stamp of truth in a higher degree, than the assertion of Phormio, that Apollodorus, as trierarch and choregus, had not expended in the service of the state, of his own property even as much as was required from those who possessed an income of no more than twenty minas.<sup>5</sup> Assertions thus wholly contradic-

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<sup>1</sup> P. 1219, near the bottom.

<sup>2</sup> P. 1229, 15.

<sup>3</sup> Speech ag. Euerg. and Mnesibul. p. 1146.

<sup>4</sup> Ag. Polycl. p. 1215.

<sup>5</sup> Demosth. for Phorm. p. 956 seq.



tory are contained in the speeches of the same Demosthenes, provided both those to which we have referred were composed by him. Other trierarchs, on the contrary, incurred less expense in the performance of their duties, furnishing only what was absolutely required: and even before the institution of the symmoriæ the trierarchs began to let the performance of the duties of their trierarchy for a certain sum to a contractor. Of this practice Thrasylochus in Olymp. 104, 1 (B. C. 364) furnishes the earliest among the known examples. Another instance occurred in Olymp. 104, 4 (B. C. 361), in which the same person is concerned,<sup>1</sup> and about what amount was given at that date we have already seen. Of course it was let to the person who required the least sum for its performance.<sup>2</sup> And not only on account of the less efficient performance of the duties of the trierarchy was this evil custom injurious, but also because the contractors by privateering gave occasion for reprisals against the state.<sup>3</sup> When losses were incurred, therefore, the censure fell not unjustly upon those who had let the performance of the duties of their trierarchy; and the letting of it might be considered as a desertion of their post (*λειποτάξιον*,)<sup>4</sup> since the trierarch was bound to be on board of his ship, and to take the command even over the epibatæ.<sup>5</sup>

Before we proceed further I beg leave, in connection with what has been said, to call to mind in advance, that also after Olymp. 105, 3 (B. C. 358) the hull of the ship was not furnished by the trierarchs, or symmoriæ, but that the ships of war were, in general, as Xenophon in his Treatise concerning the Revenues of Attica expressly calls them, public ships.<sup>6</sup> We certainly know, however, that individual citizens sometimes presented triremes to the state. For since in this very, later period of the Athenian State the announcement, that the performance of the service of the trierarchy was required, was frequently not made, nor the trierarchs appointed, until the time for sending an expe-

<sup>1</sup> Demosth. ag. Polycl. p. 1222, 26.

<sup>2</sup> The same on the Trierarch. Crown, p. 1230, 5.

<sup>3</sup> The same on the Trierarch. Crown, p. 1231 seq.

<sup>4</sup> The same on the Trierarch. Crown, p. 1230.

<sup>5</sup> The latter circumstance may be concluded from Demosth. ag. Polycl. p. 1220, 13, and is, besides, a matter of course.

<sup>6</sup> Chap. 3. *δημόσαι τριήρεις*.

dition against an enemy was close at hand,<sup>1</sup> it was impossible, upon so short a notice, for the trierarch to build a new ship. But to require him to purchase one would have been folly, since in that case those who possessed ships, in order to vex or impose upon him, would have been enabled, unless the state compelled them to sell at a definite price, arbitrarily to set upon them the very highest prices. Besides, of any such purchase, although it must have occurred, if at all, almost every year, there is not in ancient authors the least trace. Or can it have been the practice that the trierarch who had built a new ship was required to deliver it gratuitously to his successor? Such an inequality in the distribution of the trierarchal burdens is inconceivable. Why, moreover, had the council of five hundred, together with the builders of the triremes, the superintendence of the ship-building?<sup>2</sup> Why did the latter receive their funds from the state, if the trierarchs furnished their own ships? Why were new triremes about Olymp. 106,  $\frac{1}{2}$  (B. C. 355), as we learn from the speech of Demosthenes against Androtion, built for the state? And why was it even directed that the council should not receive its crown, if the ships were not built? Do we not know that Eubulus, as an officer of the state, superintended the building of ships?<sup>3</sup> and that Lycurgus provided four hundred triremes, partly by repairing old vessels, and partly by procuring new ones?<sup>4</sup> Still further, according to the proposition of Demosthenes concerning the symmoriæ, the ships are assumed to have been already provided, and it was suggested that they, as well as their equipments, should be distributed by lot among the symmoriæ.<sup>5</sup> This proposal, however, was founded upon the existing regulations, and its design was merely to improve them.

If any person is disposed to assume that the hull of the ship was furnished by the state, he can cite only two passages in favor of that supposition. The first is the assertion of Ulpian,<sup>6</sup>

<sup>1</sup> Demosth. Philipp. I. p. 50, 19.

<sup>2</sup> See Book II. 19, of the present work. Comp. also II. 6. That the ships were built at the public expense is shown in particular by Demosth. ag. Androt. p. 599, 13.

<sup>3</sup> Book II. 7, of the present work.

<sup>4</sup> Book III. 19, of the same.

<sup>5</sup> Demosth. p. 183, near the top: *εἰτα συγκληρωσαι συμμορίᾳ σωμάτων ἐκάστη τὴν πεντεκαίδεκαταίαν*; line 24: *τὰς τριῦρεις, ἅς ἂν ἑκάστοι λάχῃσι, παρεσκευασμένας παρέχειν*.

<sup>6</sup> On Mid. p. 682, A.

that the trierarch sometimes furnished only the ship. But this is an erroneous conclusion drawn by the commentator from the speech against Midias. In this speech it is stated that, in accordance with the regulations relating to the symmoriæ, the state furnished the crew and equipments:<sup>1</sup> hence he concludes, and with him the more modern authors, that the trierarchs furnished the ship. What we have already remarked upon this subject is here again applicable: so that it is not necessary that we should give the propriety of these conclusions a more particular examination. The expression of Isæus<sup>2</sup> concerning a certain Athenian might appear more doubtful: "who caused his ship to be made, not from the funds of the symmoriæ, like the trierarchs of the present day, but at his own cost" (*τὴν αὐτὴν ποιήσμενος*); so that, according to this expression, the trierarchs furnished the ship both before the institution of the symmoriæ, as well as during its existence. But the expression "*caused his ship to be made*" must here have a different signification from this, because, as has been already shown, it cannot be conceived that the hull of the ship was furnished by the trierarchs before the time of the symmoriæ. "*To cause a ship to be made*" may, to be sure, mean "*to cause a new ship to be built*,"<sup>3</sup> but that is not necessarily its meaning. The expression is a general one, and the extent of its signification must be determined by the relations in which it is used. Now the trierarch never received a ship in a condition of readiness for sailing. The hull was given to him, and he then built upon it, made the necessary repairs, inserted and secured the spars, fitted the rigging, made the decorations,<sup>4</sup> and put the vessel in complete condition for sailing. The labor required for this purpose was so considerable that I know no reason why it may not be designated by the phrase "*to make a ship*:"<sup>5</sup> for until it was done the ship was not completed

<sup>1</sup> Demosth. p. 564, at the bottom, and p. 565, at the top.

<sup>2</sup> Concern. the Est. of Apollod. p. 184.

<sup>3</sup> So in the speech ag. Androt. *τρίηρεις ποιέισθαι* is the same as *καινὰς τρίηρεις ποιέισθαι*, because, where that expression is used, the reference is to new triremes, and the same is the case in other passages which might be cited. See the *Securkunden*, p. 194, and *Urkunde*, XIV. 6, 45; comp. XIII. a. 13.

<sup>4</sup> Comp. Thuc. VI. 31.

<sup>5</sup> It might, with equal propriety, be called *ναυπηγήσασθαι*, since improvements, repairs, and additions of various descriptions were made, and yet this expression is

so as to be ready for use. Without being deterred, therefore, by this passage, we assert that the state always furnished both the pay, and subsistence either in money or in kind, and also the empty vessel, and that all the alterations in the trierarchal services referred merely to the furnishing of the equipments, and to the method of collecting the crews.<sup>1</sup>

### CHAPTER XIII.

THIRD FORM OF THE TRIERARCHY. THE SYNTHELÆ AND SYMMORÆ, FROM OLYMP. (105, 4 B. C. 357), TO OLYMP. 110, 1 (B. C. 340).

FROM the account of Ulpian<sup>2</sup> that beside two trierarchs, three persons, and also sixteen, (according to a false reading, ten,) were sometimes associated for the purpose of performing the service of the trierarchy, some authors have supposed that he refers to a distinct form of the trierarchy. This supposition, however, is erroneous, for Ulpian himself presents this opinion only in this form ; namely, that in the symmoriæ of the twelve

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used also in relation to new ships. The mere repairing was called *ἐπισκευάζειν* ; for example, in the decree of the people in the Lives of the Ten Orators, p. 278, and in the Treatise concerning the Athenian State, 3, *εἰ τις τὴν ναῦν μὴ ἐπισκευάζει*. The latter passage, moreover, is to be understood of trierarchs : for these words refer to the duty of the trierarchs already appointed ; those which follow, to the appointment of new trierarchs, and to their lawsuits. *Τὴν ναῦν*, with the article, indicates a particular ship, assigned to a particular individual, and especially shows that it is used in relation to the trierarchs.

<sup>1</sup> More particular information concerning the services required of the trierarchs, derived from original documents, is given in the work upon the Athenian Marine, p. 194, sqq. By it the results of investigation formerly presented by me in this connection are substantially confirmed. I have designedly transferred from that work into this part of the Public Economy of the Athenians nothing which relates to the trierarchy, with the exception of some references, in order that the two works may be mutually distinct.

<sup>2</sup> Ag. Mid. p. 681, G ; p. 682, B. The conjecture of Petit, that *ὅτῃ δὲ ἑκατὰδεκα* should be read instead of *ὅτῃ δὲ καὶ δέκα*, which was rejected by Wolf, p. CIII., is manifestly correct, as is evident from Ulpian's next note.



hundred sometimes three, sometimes sixteen, sometimes some other number of persons, were united in executing the duties pertaining to the trierarchy of one ship.<sup>1</sup> These associations should much rather, according to his statement, be classed with the symmoriæ, especially since even soon after the symmoriæ were instituted, as appears from the speech against Euergus and Mnesibulus,<sup>2</sup> and from the speech against Timocrates,<sup>3</sup> two persons, according to the ancient method, jointly performed the duties of the trierarchy. There is no proof, however, in ancient authors that three persons jointly performed the duties of the trierarchy. This number is probably a figment of Ulpian, in order to explain how Demosthenes could have paid only twenty minas to the contractor who engaged to perform the duties of his trierarchy; for Ulpian imagined that the letting of a trierarchy always cost a talent. But, on the one hand, it is inconceivable that there should have been a standing price; since it must have fluctuated according to circumstances, and according to the hopes of profit entertained by the contractor: and, on the other hand, Demosthenes incontestably performed the duties of the trierarchy jointly with only one person, and not with two,<sup>4</sup> and that long before the introduction of the trierarchal companies (symmoriæ); namely, in Olymp. 104, 1 (B. C. 364). The inscriptions are the only authority, beside Ulpian, which leads to the conclusion that there were sometimes three joint trierarchs; it is uncertain, however, whether before the institution of the trierarchal companies, or during the period of their continuance.<sup>5</sup>

The introduction of the symmoriæ immediately succeeded the form of the trierarchy of which we have just treated. For in Olymp. 105, 3 (B. C. 358) it became necessary, because no trierarchs, or at least not a sufficient number, could be procured in the method established by law, to summon individuals voluntarily to perform the duties of the trierarchy.<sup>6</sup> But since these,

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<sup>1</sup> P. 682, B. *χίλιοι γὰρ καὶ διακόσιοι ἦσαν οἱ ταῖς τριηραρχίαις ἀφορισμένοι. τούτων δὲ λοιπὸν ἢ συνεκκαίδεκα τὴν τριήρη ἐπλήρου ἢ σύντρεις ἢ ὁ σοι δόηποτε.* What follows is mixed with absurdities.

<sup>2</sup> P. 1162, near the bottom. Comp. p. 1148–1154, in reference to the connection of the subject, and to the date.

<sup>3</sup> P. 703, 14–22. Comp. the *Seeurkunden*, p. 179.

<sup>4</sup> See Chap. 12 of the present Book.

<sup>5</sup> See the *Seeurkunden*, p. 185.

<sup>6</sup> See Chap. 12 of the present Book.

of course, sufficed only for the current year, it was necessary to devise some new arrangement for the ensuing year; and, since there was no reason to hope that success would attend an effort to obtain trierarchs in the method previously practised, at this very date twelve hundred partners (*συντελεῖς*) were appointed, and divided into symmoriæ, and these were to perform the duties of the trierarchy. In the case to which reference is made in the speech against Euergus and Mnesibulus the trierarchs were already arranged in symmoriæ; the trierarchy of the person represented as the speaker, however, the duties of which were performed by him as a member of a symmoria, devolved upon him in the archonship of Agathocles in Olymp. 105, 4 (B. c. 357).<sup>1</sup> Yet even at that date two persons were sometimes appointed joint trierarchs out of the symmoriæ, that they might directly perform the duties pertaining to the trierarchy. No trace of symmoriæ is found at an earlier date. It is highly probable, therefore, that this was the first year in which the regulation was put in force. In the speech of Isæus concerning the estate of Apollodoros,<sup>2</sup> the date of which may have been later, but can cer-

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<sup>1</sup> Demosth. ag. Euerg. and Mnesib. p. 1152, 18. Comp. Petit, Leg. Att. III. 4, 10. Concerning the syntrierarchs, see p. 1162, near the bottom. The services which the person represented as the speaker at that time performed as syntrierarch cost him so large a sum, that he had been obliged to expend for that purpose the money which he had designed for the payment of the fine to his adversary, thirteen minas and over; see p. 1154. There is still a passage from which it might appear that also prior to Olymp. 105, 4 (B. c. 357) symmoriæ existed. The apparent force of this passage I must here invalidate. It is the passage quoted previously, (p. 707,) when treating of the syntrierarchy, from the speech ag. Euerg. and Mnesib. p. 1145, 21. Δημοχάρης δὲ ὁ Παιανιεὺς ἐν τῇ συμμορίᾳ ὣν καὶ ὀφείλων τῇ πόλει σκεύη μετὰ Θεοφίμον τουτουὶ συντρίηραρχος γενόμενος. It has already been remarked that the syntrierarchy of these two persons must have devolved upon them not long before Olymp. 105, 4 (B. c. 357). But Demochares was a member of a symmoria in Olymp. 105, 4, and he may appear, therefore, to have performed the duties of the former syntrierarchy as a member of a symmoria, and thus the symmoriæ to have been instituted at an earlier date than the one last mentioned. But what objection is there to the assumption that Demochares was syntrierarch in the former instance, and was not connected with the symmoria until Olymp. 105, 4? This is the more probable; indeed it is certain, since it is said of him alone that he was in the symmoria, while it is not mentioned that Theophemus was a member of a symmoria. If they had both performed the duties of the trierarchy, to which reference is made, as members of a symmoria, Theophemus must have belonged to the same symmoria as Demochares; but the contrary conclusion must be drawn from the words of the orator.

<sup>2</sup> P. 184. Wolf, p. CIX. makes the date of the speech some year of the 105th Olymp. (B. c. 357, 360); Schömann, p. 354, supposes that it is Olymp. 106½ (B. c. 353).

tainly not have been earlier, in the speech against Leptines, delivered in Olymp. 106, 2 (B. C. 355),<sup>1</sup> in the speech concerning the symmoriæ, delivered in Olymp. 106, 3 (B. C. 354), and in the speech against Midias, of a date not much later, this arrangement is recognized as an existing institution. The law of Perikander, by which, according to the speech against Euergus and Mnesibulus,<sup>2</sup> the trierarchal symmoriæ were introduced, was consequently, doubtless, the first and original law enacted upon this subject.

The twelve hundred partners (*συντελεῖς*)<sup>3</sup> were, in accordance with the regulations concerning them, the most wealthy persons in the state according to the assessment, and among them there was constituted, as was the case in relation to the symmoriæ of the property taxes, a committee of three hundred, which still existed at the date when Demosthenes abolished this institution of the symmoriæ.<sup>4</sup> The whole number of the partners was divided into twenty symmoriæ, or classes.<sup>5</sup> Of these a number of members were associated together for the purpose of equipping a vessel, and this association was called a syntelia (*συντελεία*).<sup>6</sup> It often consisted of five or six persons,<sup>7</sup> so that a symmoria of sixty persons could take charge of ten or twelve ships. Sometimes, however, it consisted of fifteen persons, and in that case a symmoria of sixty persons had charge of only four ships. A smaller division of this kind, consisting of fifteen persons, which, also, according to Hyperides, was itself called a

If any person is disposed to assume that it was of an earlier date, he cannot well go farther back, according to the data used by Schömann, than Olymp. 105, 4 (B. C. 357); since the date of the birth of the person represented as the speaker cannot be assumed to have been more than about four years earlier than Schömann has supposed it, and consequently, in case that assumption be correct, the speech may have been delivered after the celebration of the Pythia of Olymp. 105, 3 (B. C. 358), instead of after the celebration of the same festival in Olymp. 106, 3 (B. C. 354).

<sup>1</sup> § 19, (p. 463, 24).

<sup>2</sup> P. 1145.

<sup>3</sup> Demosth. ag. Mid. p. 564, near the bottom; concern. the Symmor. p. 182, 17; and the grammarians in various passages, Harpocr., Suid., Phot., Lex. Seg., p. 238, 300, also p. 192, 3. The latter, however, is a very poor article.

<sup>4</sup> Dinarch. ag. Demosth. p. 33; comp. Chap. 14 of the present Book.

<sup>5</sup> Demosth. on the Symmor. p. 182, 19.

<sup>6</sup> Concerning this word see Demosth. ag. Mid. and ag. Lept. as above cited; Harpocr., and Etym. on the word *συντελείς*.

<sup>7</sup> Hyperides in Harpocr. on the word *συνμορία*, corrupted by Petit, III. 4, 7.



symmoria, was at certain times constituted by law.<sup>1</sup> But a most singular circumstance is the fact, that before Demosthenes introduced the new law concerning the trierarchy according to the assessment, while the previously existing institution of the symmoriæ still remained in force,<sup>2</sup> sixteen persons of the age of from twenty-five to forty years were according to law summoned out of the synteliæ to take charge of one ship,<sup>3</sup> and these sixteen persons performed the services pertaining to the trierarchy in equal proportions. Since this number does not correspond with the arrangement by which the whole body of the partners who were to perform the duties of the trierarchy was divided into twenty symmoriæ of sixty persons each, we must suppose, either that there was an entire change in the internal arrangement of the twelve hundred partners, which is not probable, or that their number was increased to 1280, or we must

<sup>1</sup> The same as the preceding.

<sup>2</sup> That it still continued is evident from the speech on the Crown, p. 329, 17 ; p. 260, 21.

<sup>3</sup> Law in Demosth. on the Crown, p. 261, near the bottom : Κατάλογος. Τοὺς τριηράρχους καλεῖσθαι ἐπὶ τὴν τριήρη συνεκκαίδεκα ἐκ τῶν ἐν τοῖς λόχοις συντελείων ἀπὸ εἰκοσι καὶ πέντε ἐτῶν εἰς τετταράκοντα, ἐπὶ ἴσον τῇ χορηγίᾳ χρωμένους. Comp. p. 260, 27 ; p. 261, 3, 16. Demosthenes recognizes the number sixteen in the two former of these passages in the speech itself. This renders the removal of the difficulty by declaring the catalogue to be spurious more impracticable, and of this method of removing it I have, without reference to the words of Demosthenes, expressed my disapprobation in the work also upon the Documents relating to the Athenian Marine (Seeurkunden). Χορηγία here means a public service in the general sense. But the difficulty in the phrase ἐν τοῖς λόχοις is inexplicable ; even F. A. Wolf, p. CXII., was unable to remove it. It is certain that the word λόχος denotes not only a military, but also a civil division. This is evident, if not from Xenophon, — Hieron. 9, 5, where it may refer to a military division also, — at least from Aristotle (Polit. V. 7, 11, Schn. 8, Bekk.) : τοῦ μὲν οὖν μὴ κλέπτεσθαι τὰ κοινὰ ἢ παράδοσις γιγνέσθω τῶν χρημάτων παρόντων πάντων τῶν πολιτῶν, καὶ ἀντίγραφα κατὰ φρατρίας καὶ λόχους καὶ φυλὰς τιθέσθωσαν. The lochitæ are mentioned in a similar connection in Eustathius also. Comp. the passage quoted by F. A. Wolf from the work of Salmasius, Misc. Defens. p. Salmas. ad. I. A. et R. p. 135. What is there stated, however, is entirely unsatisfactory and preposterous. Hier. Wolf thinks that further investigations should be made to ascertain what the πολιτικοὶ and τριηραρχικοὶ λόχοι were, and considers them in the connections in which they are mentioned in Demosthenes identical with the symmoriæ. And this is the only method in which the difficulty can be explained. I will add that, as has already been remarked, the symmoriæ of the trierarchy at that time actually existed : and the only reason for mentioning in Demosth. ag. Bæot. concern. his Name, p. 997, 1, in Olymp. 107 (B. C. 352), the trierarch in opposition, as it appears, to the symmoriæ is because the symmoriæ in relation to the property taxes were considered the more ancient, and the principal symmoriæ, although there were at that date symmoriæ of the trierarchy also.



seek some other method of reconciling the discrepancy. May we not venture to assume that, since we have only a part of the law, there were additional clauses in it of material consequence for explaining the sense? May not the fact have been, that each of the synteliæ consisted in reality of only fifteen persons, as Hyperides states, although he calls them symmoriæ, but that to these fifteen persons another was added from another syntelia, as a partner,<sup>1</sup> for the purpose of guarding against any unjust procedure on the part of the fifteen members united by the same interests, and to serve, as it were, in the capacity of a controller to them?<sup>2</sup> Moreover, the presidency of the symmoriæ was held by the most wealthy members, upon whom the duties of the trierarchy chiefly devolved. They were called the leaders of the symmoriæ (ἡγεμόνες τῶν συμμοριῶν),<sup>3</sup> and also the superintendents of the symmoriæ (ἐπιμεληταὶ τῶν συμμοριῶν).<sup>4</sup> The latter, according to the appellation given to them, had charge of the business of the symmoriæ, but may have also been trierarchs of the symmoriæ, and were, doubtless, taken from the most wealthy members.<sup>5</sup>

With regard to the services required, we will say nothing concerning furnishing the hull, the pay, and the subsistence-money, having already sufficiently treated of these subjects. In regard to the equipments, however, and to providing the crew, we find the most satisfactory accounts. Even before the introduction of the symmoriæ, the state provided the equipments, although some trierarchs used their own.<sup>6</sup> But in Olymp. 105, 4 (B. C. 357), from this very cause, there were no longer any in the naval arsenal, but the old equipments still remained in the hands of former trierarchs, and even in the Piræus there were neither sails

<sup>1</sup> The author must mean, it appears to me, that this may have been done whenever, as stated on the preceding page, "sixteen persons were summoned out of the synteliæ to take charge of one ship." — Tr.

<sup>2</sup> Concerning the number of the partners (συντελεῖς) in the third form of the trierarchy, I treat more fully in the work on the Documents relating to the Athenian Marine (Seeurkunden), p. 179–183, and in remarks upon some of the inscriptions in the same work, p. 187 seq. From these we find that the synteliæ sometimes, also, consisted of seven persons.

<sup>3</sup> Demosth. on the Crown, p. 329, 17; p. 260, 21.

<sup>4</sup> Speech ag. Euerg. and Mnesib. p. 1145, 15, 20; p. 1146, 10.

<sup>5</sup> Concerning the number of the presidents, see the work on the Documents, etc., p. 178 seq.

<sup>6</sup> Speech ag. Euerg. and Mnesib. p. 1145, 1146.

nor tackling to be bought in sufficient quantities. Hence a decree was passed on the motion of Chæredemus, requiring that the equipments which were due to the state should be collected from those who had received them, and in pursuance of this decree the names of those from whom equipments were due were handed by the overseers of the dock-yards to the superintendents of the symmoriæ, and to the trierarchs appointed for the naval expedition which was about to sail.<sup>1</sup> The law of Pericles had directed that the superintendents of the symmoriæ, and the newly appointed trierarchs, should receive from the overseers of the dock-yards the names of those from whom naval equipments were due, and still another decree of the people required that the duty of collecting the equipments from those persons from whom they were due should be equally distributed among the several individuals, to whom their names should be handed. The names of the persons from whom the equipments were due were engraven on tablets. The disputes concerning the equipments for ships were brought before the proper court by the officers who were charged with the superintendence of the equipment of the fleet, and with the duty of despatching it (*ἀποστολεῖς*), and by the overseers of the dock-yards. Any person who had received equipments for a vessel was obliged to deliver them according to the inventory taken of them when they were delivered to him (*διὰ γράμμα τῶν σκευῶν*),<sup>2</sup> either at Athens, or to his successor sent to him from the symmoria. In the period of which I am treating, if a trierarch did not deliver the equipments in his possession belonging to the state, or, in case he had used his own, did not sell them to his successor, the penalty was the confiscation of his property. The successor had probably at all times the power in such cases to distrain the property of his predecessor in the trierarchy. From all these statements, which are made in the speech against Euergus and Mnesibulus,<sup>3</sup> it is evident that the equipments were furnished to the symmoriæ by the state. In accordance with this account of the subject, Demosthenes, in his speech concerning the symmo-

<sup>1</sup> Τοῖς τριηράρχοις τοῖς ἐκπλέονσι τότε. Reiske's οὐκ ἐκπλέονσι is a very singular reading.

<sup>2</sup> Concerning this expression, see the work on the Documents, etc. (Seurkunden), p. 204.

<sup>3</sup> P. 1145-1152.

riæ,<sup>1</sup> proposes that the equipments which were due from those who had been trierarchs should be collected from them, and should be distributed according to the inventory among the greater symmoriæ, and by these among their several subdivisions, and that the latter should then put the ships in readiness for sailing. The same orator informs us, in the speech against Midias,<sup>2</sup> that the state furnished the equipments of the ships, and the crews to the synteliæ.

The only obligation, therefore, in relation to the ship, imposed upon those who performed the public service of which we are treating, was to repair the vessel and equipments, to insert and fasten the latter in their proper places, and to preserve both in good condition. But the trierarchs, that is the most wealthy persons whose duty it was to fulfil this obligation for their synteliæ, avoided the performance of even these services; for they let the performance of them to a contractor, to whom they paid a talent, and caused their associates in the syntelia to pay to themselves this whole sum; so that many in reality performed none of these services, and yet enjoyed an exemption from the other public services on account of their being subject to the performance of the service of the trierarchy.<sup>3</sup> That a higher price was given to the contractors at the date of the above-mentioned speech than in earlier periods, when the services required of the trierarchs were greater, may excite surprise; but this will be explained in a subsequent chapter.

The symmoriæ seem, in general, on account of the disorders which prevailed in them, to have early failed to accomplish their object. Hence in Olymp. 106, 3 (B. C. 354) Demosthenes<sup>4</sup> made a proposal for the improvement of the regulations relating to the symmoriæ, the substance of which is as follows. Instead of twelve hundred, he proposes to take two thousand persons, in order that, after deducting all those who might for any legal cause whatever be excused, there might certainly remain twelve hundred.<sup>5</sup> These were as before to be distributed into twenty

<sup>1</sup> P. 183, 17 sqq.

<sup>2</sup> P. 564, at the bottom; p. 565, at the top.

<sup>3</sup> Demosth. ag. Mid. as last cited; comp. concern. the Crown, p. 260-262.

<sup>4</sup> On the Symm. p. 182 sqq.

<sup>5</sup> Among these two thousand those persons also were included who for any cause, particularly on account of their legal exemption, could not be summoned to the per-



symmoriæ of sixty members, and each symmoria again into five subdivisions of twelve persons, in such a manner that in each subdivision with some of the wealthiest individuals in the state persons less wealthy might be associated; and in the whole a hundred small symmoriæ be constituted.<sup>1</sup> The number of the triremes was to be three hundred, in twenty divisions, each of fifteen ships, so that of each hundred, the first, the second, and the third, which were successively to be brought into active service at different times, and were therefore thus designated, each larger symmoria received five ships, each smaller symmoria one; in the whole, each larger symmoria was to receive fifteen, each smaller one three ships. Moreover, the whole assessment of the country, amounting to six thousand talents, "in order that proper regulations might be established in relation to pecuniary matters," was to be divided into a hundred portions, each of sixty talents. Five of these portions were to be assigned to each larger, one to each smaller symmoria, in order that, when a hundred triremes were required, sixty talents of the assessment might supply the funds for the expenses, and that there might be twelve trierarchs for each ship; but when two hundred ships were required, that there might be thirty talents and six tri-

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formance of the duties of the trierarchy. All who were exempt from the performance of these duties, but were obliged to pay the property tax, may, accordingly, seem to have belonged to the symmoriæ of the trierarchy, and the symmoriæ of the trierarchy and of the property taxes consequently to have been identical. This conclusion, however, does not follow. Twelve hundred persons had also previously been designated to constitute the symmoriæ of the trierarchy, but many of them, when services were required, failed to perform them, because through misfortunes their property had been diminished, or some of them, because they had left the country as cleruchi, or because by deaths the property which had been subject to the trierarchal service had fallen to unmarried epicleri, to orphans, or to heirs who possessed it in common, and whose property individually was not sufficient to enable them singly to perform the service in question (see Chap. 11, of the present Book). Hence Demosthenes proposed that two thousand should be designated, but that only twelve hundred of them should actually constitute the trierarchal symmoriæ. Those who, for the reasons assigned, failed, were not actually in the symmoriæ, and erroneous computations have heretofore been made by wishing to include those persons in the same, instead of making an abatement on account of them. By including them the increase of the number of the symmoriæ to two thousand is computed.

<sup>1</sup> Comp. Clidemus in Phot. on the word *ναυκαρία*, who mentions exactly one hundred symmoriæ as existing in his time. The expression *greater symmoria* is used by the orator himself, p. 183, 9 and 21. No excuse is required, therefore, for my calling the smaller divisions the smaller symmoriæ; comp. also the work on the Naval Documents, etc. (*Securkunden*), p. 180-183.



rarchs; when three hundred, twenty talents and four trierarchs — for the expenses, and management of each ship.

Here is a difficulty in relation to the assessment not noticed by most authors who have treated of this subject, and which can be explained only in the following manner. The amount of the assessment of the whole country and of all the citizens subject to assessment, and not merely of the twelve hundred, as Budæus in his interpretation of this passage assumes,<sup>1</sup> was six thousand talents; but in the symmoriæ of the trierarchy there were in reality only twelve hundred persons: the distribution of the whole amount of the assessment among the symmoriæ could not have been made, therefore, in reference to the expenses of the trierarchy, but only in reference to what was supplied by the state itself for the equipment of the fleet, and for the subsistence and pay of the crew. Moreover, if the six thousand talents were the taxable capital of the twelve hundred, the orator would more appropriately have spoken of it, when he mentioned the manner in which the latter were distributed. He would of course have there said that they were to be so divided, that each of the symmoriæ might have an equal amount of money, namely, each of the smaller symmoriæ sixty talents. Consequently the orator in the passage of which we are treating only proposes a plan for the division of the property taxes according to the assessment, in accordance with the regulations relating to the symmoriæ of the trierarchy, in order that out of the portion of the property taxes which fell to each of the trierarchal symmoriæ all the expenses might be paid which the trierarchs were not obliged to defray. If this proposal had been carried into effect, the efficiency of the marine would have been firmly established; since the failure in supplying the pay, and subsistence-money of the crews, and the other articles to be furnished by the state, was frequent. The most essential particulars of this distribution of the property taxes are the division into a hundred equal parts, the assignment of the same to the trierarchal symmoriæ, and their subdivisions, and the regular gradation of the contributions required, according as one, two, or three hundred ships were to be equipped. The remarks added, concerning the number of the trierarchs for each ship according to the number of ships called into active service,

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<sup>1</sup> De Asse, et Partibus ejus V. p. 534 sqq. Comp. Chap. 9, of the present Book.

serve only to render prominent the parallelism between the trierarchal symmoria, or subdivision, and the quotas of the assessment assigned to it, and are by no means to be understood as if the quota of the assessment named was the assessment of the number of trierarchs named.

Moreover, the equipments belonging to the state, due from former trierarchs, were to be distributed, according to the inventory of the same,<sup>1</sup> among the trierarchal symmoriæ. A proportionate number of the persons from whom the equipments were due<sup>2</sup> was assigned to each one of the greater symmoriæ, and they again equally divided these debts, which were to be collected, among the smaller symmoriæ. The generals were also to divide the dock-yards into ten parts in such a manner that each part should contain thirty houses for the covering of ships, in close connection with each other. To each portion of the dock-yards thus divided, two symmoriæ to take charge of them, and thirty ships were then to be assigned. The orator then proposes the regulations which he recommends to be made in relation to the manning of the vessels (πλήρωσις). The tribes were to be assigned by lot to those tenth parts of the dock-yards, and in the same manner to each of these parts its own taxiarch; so that to each tenth part two symmoriæ, thirty ships, and one tribe should be assigned. The place, which each tribe should receive by lot, was to be divided into three parts (τριπῆς), and one part assigned by lot to each third part of the tribe, so that each part should receive ten ships, and that it might be known, when requisite, to what portion of the dock-yards each tribe, and each third of a tribe had been assigned. The men to man the fleet were to be taken from the tribes in accordance with these regulations.<sup>3</sup>

<sup>1</sup> Concerning this inventory (διάγραμμα), and the different trierarchal inventories, see the work on the Documents, etc. (Seeurkunden), p. 204, 209.

<sup>2</sup> Χρήσεων. This is the reading of the best manuscript Σ (p. 183, 22). Comp. the work upon the Documents, etc. (Seeurkunden), p. 204.

<sup>3</sup> P. 183, 28 sqq. In this whole passage the subject is not the trierarchy, and the trierarchal symmoriæ (these were treated in the preceding context), but the manner in which the crews were to be assigned to the ships, and to the symmoriæ. The crews were summoned, as is well known, κατὰ φύλιν. The orator expresses himself very clearly upon this point in p. 123, 28: πλήρωσις δὲ καὶ σαφὴς ὅθεν ἔσται καὶ ῥαδια, μετὰ πάντα λέγω. If the symmoriæ of the trierarchy were constituted in conformity with the division into tribes, so that out of each tribe two symmoriæ were taken, and if the tribes were in the passage cited mentioned merely with the like reference to these sym-

We do not know that these good counsels were all of them carried into execution, but we are certain that, before Demosthenes introduced the later law concerning the trierarchy, according to the assessment, the abuses in relation to the management of the trierarchy continually increased. This law was proposed by Demosthenes, because he saw that the marine, particularly so far as the companies of sixteen were concerned with it, was in a ruinous condition. The rich evaded the proportionately small expenditure required of them by law; those persons who were possessed of moderate wealth, or of but slender means, gradually sacrificed their estates, since with-

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moriz, then the entire division of the tribes as proposed by Demosthenes would be both out of place, since it ought to have been introduced, if at all, previously, when treating of the symmoria, and would also be superfluous. For if there were two symmoria in each tribe, then in the distribution of the symmoria the distribution of the tribes would have been included. There would have been, moreover, in the statement of the orator, this defect, that, where he speaks of the distribution of the symmoria, he would not have said, as he should have done in the case supposed, that the two symmoria of each tribe were to be combined together. The words *ἵνα ὥσι συμμορίαί δύο, τριήρεις τριάκοντα, φυλή μία* clearly show also, by the succession observed, that the distribution of the tribes was entirely different from the distribution of the symmoria. Demosthenes places the symmoria first in the sentence, the tribe last, because the distribution of the tribes was an entirely new distribution. Moreover, I have shown in the work on the Documents relating to the Athenian Marine (Seeurkunden), p. 186 (comp. p. 194), that the trierarchal symmoria did not correspond with the tribes, and the reason for it is given in Chap. 9, of the present Book: this also nullifies the erroneous notion, that in this passage the distribution of the tribes has reference to the distribution of the symmoria. These considerations will aid us to determine correctly the reading of the passage on p. 184, 5. Even Bekker reads as Reiske: *εἰτ' ἐπικληρώσαι τὰς φυλὰς, τὸν δὲ τριήραρχον ἑκάστον καθ' ἑκάστον νεώριον*. The expression *νεώριον* is, to be sure, ambiguous (see the work on the Documents, etc., Seeurkunden, p. 64 f): but here *ἑκάστον νεώριον* can mean, according to the context, nothing else than each tenth part of the dock-yards. This Demosthenes expressly indicates by the use of the expression *τούτων ἑκάστῳ τῶν τόπων*, and immediately afterward by the expression *τῶν ὅλων νεωρίων ἐν μέρος*. It is impossible on the other hand that in this passage a single house for the covering of a ship (*νεώροκος*) can be intended by the word *νεώριον*. But according to the computation of the orator to each tenth part of the dock-yards two symmoria were assigned, and even to a single house for covering a ship at least four trierarchs. The reading *τριήραρχον*, therefore, is incorrect: for the conjecture of Schäfer, approved by Parreidt de Symm. p. 45, that *τὸν δὲ τρ. ἑκάστον* were written instead of *τῶν δὲ τριηράρχων ἑκάστους*, is inadmissible. Vömel, in the Paris edition of Demosthenes, has very properly adopted from the manuscript Σ and from the γρ. of another manuscript the reading *ταξίαρχον*; the taxiarch, as commander of the taxis which each tribe furnished, is the only personage admissible in this passage. Amersfoordt's remarks upon the regulations relating to the symmoria proposed by Demosthenes have been already criticized by Parreidt, p. 43 sqq., and I have therefore omitted any notice of them.



out regard to the difference of property, the contributions of all classes were equal: the preparations were not completed at the proper time, and the state lost the favorable opportunity.<sup>1</sup>

This last consequence of bad management the orator had inveighed against, even in the first Philippic;<sup>2</sup> and from it, as well as from the exhaustion of their resources, arose again the necessity of voluntary trierarchs. The first voluntary performance of the duties of the trierarchy (*ἐπίδοσις*) has been already mentioned, the second was undertaken, according to Demosthenes against Midias, for the purpose of preparing the fleet sent against Olynthus,<sup>3</sup> the third on account of the war in Eubœa, in which the battle of Tamynæ was fought by the Athenian forces under the command of Phocion. At that time many Athenians presented triremes to the state.<sup>4</sup>

This third voluntary performance of the duties of the trierarchy occurred immediately before the time when Demos-

<sup>1</sup> Demosth. on the Crown, p. 260. The expression *ἀτελεῖς ἀπὸ μικρῶν ἀναλωμάτων γιγνομένους* admits of a twofold explanation. It may mean, as many understand it, that the persons mentioned had, *by means of* a small expenditure, acquired an exemption, since on account of their small contribution to the trierarchy they were exempted from the performance of the other liturgiæ, while they were engaged in the former service; or also since they, while they performed their part of the duties of the trierarchy in the symmoria, properly speaking, obtained what was equivalent to an exemption from the service of the trierarchy by means of their small contributions in the symmoria. But in this there is, in the first place, some contradiction, since, although their expenditures were small, they were yet not entirely exempt; and in the second place the services, or expenditures, from which they became exempt, should have been mentioned, and, instead of the preposition *ἀπὸ*, *διὰ* would have been more appropriate. I understand the words, therefore, as follows: "they exempted themselves *from* the required expenditures, which were proportionally small in relation to the amount of their property;" since, as has been shown, they frequently caused the entire expenses of the trierarchy to be paid to them by their associates in the symmoria, while they themselves contributed nothing. The ordinary form of expression is, it is true, *ἀτελής τινος*, but in an uncommon phrase like the present, with the addition *μικρῶν ἀναλωμάτων* the orator may, for the sake of perspicuity, have added *ἀπὸ*. Also the collocation of *ἀπὸ μικρῶν ἀναλωμάτων* between *ἀτελεῖς* and *γιγνομένους* is in favor of this sense of the phrase.

<sup>2</sup> P. 50.

<sup>3</sup> Demosth. ag. Mid. p. 566.

<sup>4</sup> Demosth. ag. Mid. p. 566-568. *Τριῆρη ἐπιδοῖναι* refers to the ship itself, which I formerly did not indeed deny, but considered doubtful. Comp. at present the work on the Documents, etc. (Seeurkunden), p. 196, also p. 189, 190. In the passage last cited I have treated more in detail of the presentation of the triremes for the Eubœan war. Demosthenes also is said to have presented three triremes at different times; the first at the very period of this same Eubœan war (Decree of the people I. in the Appendix to the Lives of the Ten Orators).



thenes was insulted by Midias at the celebration of the great Dionysia, and when he composed the speech against the same individual,<sup>1</sup> the date of which is so much controverted, that it or the lawsuit to which it has reference, has been dated in different years between Olymp. 106, 4 (B. C. 353), and Olymp. 107, 4 (B. C. 349).<sup>2</sup> In relation to this matter, I will make this remark only, that the battle of *Tamynæ*,<sup>3</sup> and other events connected with

<sup>1</sup> P. 566, 28. In this passage the word *vñv* is particularly to be observed. See also p. 567, 16.

<sup>2</sup> Comp. F. A. Wolf, p. CVIII. also p. LXII. Petit, III. 4, 7, dates it one year earlier, namely, in Olymp. 106, 3 (B. C. 354). I will avoid introducing here the new investigations made by myself, because this would require great amplitude of detail. But I cannot forbear remarking that I am not yet convinced that my assertion that Demosthenes was born about Olymp. 98, 4 (B. C. 385), according to which the speech against Midias is to be dated about Olymp. 106, 4, is erroneous. This assumption concerning the date of the birth of Demosthenes seems, according to a remark of Bergk (*Zeitschrift f. Alt. Wiss.* 1849, p. 232), which likewise occurred to me, also to be confirmed by Hyperides. The testimony in Demosth. ag. Mid. p. 541, favors the adoption of the earliest possible date of the speech. Demosthenes, after his lawsuit with his guardians, had brought against Midias an action for abusive language (*δίκη κακηγορίας*) on account of the insult which Midias had offered him and his friends, at the very period when the lawsuit against Aphobus was about to be brought before the court. Midias, failing to appear, was condemned in contumaciam by the dietetes. But, since he neglected to pay the fine, Demosthenes, eight years before, preferring the *προβλή* against Midias on account of the insult received from him at the celebration of the Dionysia, brought against him an *actio judicati* (*δίκη ἐξούλης*). If now we reckon back, for example, from Olymp. 107, 4 (B. C. 349), eight years, we come to Olymp. 105, 4 (B. C. 357). But that so much time had expired between the date of the lawsuit against Aphobus, and the instituting of the *δίκη ἐξούλης*, as to bring the date of the latter down to Olymp. 105, 4, is, notwithstanding the postponements which occurred (p. 541, 23), improbable. For the main action was prosecuted before a dietetes, and it can hardly be made a valid argument against what is here said that, according to Demosthenes, even the succeeding *actio judicati* was not brought to a decision in the next eight years. Moreover, Wolf is of the opinion that the date at which the speech was composed is to be distinguished from the date of the lawsuit, because in the speech events are mentioned, which occurred after the date ascribed by him to the lawsuit. But this conception of the matter is untenable, as may be easily shown, and the assumption that Demosthenes wrote the speech against Midias considerably later than the date of the commencement of the lawsuit, is altogether unfounded. The presumption rather is that the speech was composed soon after the instituting of the *προβλή*, and before the composition was made with Midias; for which reason it was left by him unfinished.

<sup>3</sup> *Æschin. π. παραπρ.* p. 332 sqq. (Olymp. 109, 2, B. C. 343), and ag. Ctesiph. p. 480 sqq. The most detailed account of this battle is in Plutarch, Phoc. 12, 13. But an exact determination of the date cannot be derived from it, because he gives but a brief summary of the events which followed. I will make this remark only, that the sending of Chares to the Hellespont, mentioned in Plutarch's Life of Phocion, is not to be considered the same event as the sending of the same general which occurred in Olymp.

this Eubœan expedition, are frequently mentioned in such a manner as to render it evident that they are entirely distinct from the occurrences of the expedition to Eubœa in Olymp. 109, 4 (B. C. 341), with which they might by some be confounded. For Plutarch of Eretria had called the Athenians to his assistance,<sup>1</sup> and having a party in Athens to which Midias also belonged,<sup>2</sup> he was, contrary to the advice of Demosthenes, assisted by that state. Demosthenes himself, in his speech on the Peace,<sup>3</sup> delivered in Olymp. 108, 3 (B. C. 346), boasts of having opposed the measure. Phocion, having been sent as the commander of the expedition, gained that battle against the mercenaries which Callias and Taurosthenes had obtained from Philip and from Phocis. At a later date Plutarch the Eretrian was himself driven out again by Phocion,<sup>4</sup> because he had, in conjunction with Hegesilaus the Athenian, deceived the people, and had excited the Eubœans to revolt, and for this offence an action was brought against Hegesilaus.<sup>5</sup> The free constitution of Eubœa was restored, and the people of Eubœa governed themselves for a time, until dissensions arose, which ended, as Demosthenes relates in the third Philippic, delivered in Olymp. 109, 3 (B. C. 342),<sup>6</sup> with the establishing of three tyrants, favored by Philip, namely, Hipparchus, Automedon, and Clitarchus, and of Philistides in Oreus. But these tyrants themselves were finally driven out by the Athenians, at the suggestion of Demosthenes,<sup>7</sup> and Clitarchus was slain by Phocion in Olymp. 109, 4 (B. C. 341).<sup>8</sup>

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106, 4 (B. C. 353), (Diodor. XVI. 34); but the historian is relating events of a much later period. The speech against Neæra also, p. 1346, 14, has reference to the same war in which the battle of Tamynæ was fought, but it is not manifest whether the reference is to the beginning, or rather to a later period of the same.

<sup>1</sup> Æschin. p. 480; Plutarch as last cited.

<sup>2</sup> Demosth. ag. Mid. p. 579, 2. Comp. p. 550, near the bottom.

<sup>3</sup> P. 58, 3.

<sup>4</sup> Plutarch, Phoc. 13.

<sup>5</sup> Demosth. π. παραπρ. p. 434, 14, and Ulpian on the same, p. 390, D.

<sup>6</sup> P. 125; comp. the speech on the Crown, p. 248, 16; p. 324, 16. Concerning Philistides, see Demosth. Philip. III. p. 119, 22; p. 126, 3 sqq.; on the Crown, p. 248, 15; p. 252, 17 sqq.

<sup>7</sup> Demosth. on the Crown, p. 252.

<sup>8</sup> Diodor. XVI. 74. Wesseling, in commenting upon this passage, saw the distinction between the two battles gained by Phocion, but he, and also the commentators of the historian Plutarch confuse themselves, when they propose to write in the Life of Phocion, Chap. 13. Κλιτάρχον instead of Πλοῦτάρχον, to say nothing of other authors who confound the entirely different historical accounts respecting Plutarch and Clitarchus.

The expedition, on the other hand, for which the third voluntary performance of the duties of the trierarchy was undertaken, occurred as early as Olymp. 106-107 (B. C. 356-352).

With regard to the second voluntary performance of the duties of the trierarchy, undertaken for the expedition against Olynthus, it occurred not long before the third for that Eubœan expedition already mentioned; for the cavalry which had served in Eubœa went from that island immediately to Olynthus.<sup>1</sup> The Olynthian war, therefore, still continued when the Eubœan war was ended. This circumstance excludes the supposition that the war of Timotheus against Olynthus may be meant, in which the Athenians were aided by the Macedonians.<sup>2</sup> This war occurred before the first voluntary performance of the duties of the trierarchy of Olymp. 105, 3 (B. C. 358), namely, in Olymp. 104, 1 (B. C. 364), and is the same in which Timotheus took Torone and Potidæa,<sup>3</sup> cities highly prized by the Olynthians.<sup>4</sup> The circumstance that Charidemus, when he was sent by the Athenians to the aid of the Olynthians, according to Philochorus<sup>5</sup> in Olymp. 107, 4 (B. C. 349) in the archonship of Callimachus, had with him a body of 150 cavalry, is certainly in striking unison with the account in the speech against Midias of the departure of the cavalry from Eubœa for Olynthus. We may, therefore, conjecture that the summons to the voluntary performance of the duties of the trierarchies, undertaken before the Eubœan expedition for the expedition against Olynthus, was made for the fleet which, according to Philochorus, in Olymp. 107, 4 (B. C. 349), before Charidemus was sent out, had gone under the command of Chares to Olynthus. But we may perceive the weakness of the foundation for such a conjecture from the fact, that also soon after the departure of Charidemus, another body of cavalry, three hundred in number, were sent

<sup>1</sup> Demosth. ag. Mid. p. 578, near the top.

<sup>2</sup> Demosth. Olynth. II. p. 22. Rehdantz Vitt. Iphicr. Chabr. Timoth. p. 133 seq., gives further information concerning it. At a later period, also, the Athenians were again engaged in hostilities against Olynthus, which in Olymp. 105, 3 (B. C. 358) had made a league with Philip, and was favored by him. Diodor. as last cited, and Libanius's argument to Demosth. Olynth. I.

<sup>3</sup> Diodor. XV. 81.

<sup>4</sup> Diodor. XVI. 8.

<sup>5</sup> In Dionys. of Halic, letter to Ammæus, p. 122, Sylb.

with another fleet to Olynthus.<sup>1</sup> There may, therefore, before the expeditions known to have been sent to Olynthus, another one also have been despatched, to which the speech against Midias may have reference.<sup>2</sup> Even those who date the speech against Midias in Olymp. 107, 3 or 4 (B. C. 350 or 349), must carry back the date of the second voluntary performance of the duties of the trierarchy to Olymp. 107, 2 (B. C. 351).<sup>3</sup> I may here refrain from the further prosecution of these controverted questions, since they are of no consequence in relation to the subject under consideration.

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## CHAPTER XIV.

FOURTH FORM: THE TRIERARCHY ACCORDING TO THE ASSESSMENT, INTRODUCED BY THE LAW OF DEMOSTHENES, AND IN FORCE FROM OLYMP. 110, 1 (B. C. 340) ONWARD.

DEMOSTHENES, perceiving the defects of the regulations relating to the symmoriæ upon which we have animadverted, introduced, finally, as superintendent of the marine (*ἐπιστάτης τοῦ ναυποῦ*), in a new law the most judicious system for the management of the trierarchy. Disdaining the bribes offered him by the leaders and other wealthy members of the symmoriæ, he was not deterred from the prosecution of his object by the action for proposing an alleged unconstitutional law (*γραφὴ παρανόμων*) instituted against him by Patrocles of Phyla.<sup>4</sup>

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<sup>1</sup> Philochorus in the same passage.

<sup>2</sup> Demosthenes ag. Aristocr. p. 656, 25, may, it is true, be alleged against dating the speech against Midias, and an expedition in aid of the Olynthians as early as Olymp. 106 (B. C. 356), and this is no inconsiderable objection, but I do not know that it is completely decisive.

<sup>3</sup> Böhnecke, for example, *Forschungen*, Vol. I. p. 731. He dates the expedition of Chares to Olynthus, at the end of the summer of Olymp. 107, 3 (B. C. 350), (comp. p. 732,) and the instituting of the proboule against Midias in the following year; C. Fr. Hermann, also, in his *Epiërisis Quæstionis de Demosthenis Anno Natali*, p. 9. He dates the speech against Midias in Olymp. 107, 4 (B. C. 349).

<sup>4</sup> Demosth. on the Crown, p. 260, 261. Concerning the office held by Demosthenes



The *symmoriæ*, in the form in which they had previously existed, and the previous *synteliæ*, the members of which had even ceased to call themselves trierarchs, and had assumed the appellation of partners, or contributors (*συντελεῖς*), were abolished, and the services relating to the trierarchy were regulated according to the assessment. The trierarchs, in the words of the law, were taken for a trireme according to the assessment of their property, so that for every ten talents assessed trierarchal services were performed for one trireme. The person whose assessment was higher than that sum was summoned to the performance of the trierarchal service, in the same proportion, to the extent of three triremes, and a tender (*ὑπηρετικόν*). But those who possessed less than ten talents were required to unite in *synteliæ* in such a manner that the aggregate property of each of the *synteliæ* which they formed should amount to that sum.<sup>1</sup> The form of expression, although toward the end of the law there is a want of precision, shows clearly that property, simply, is not meant by the ten talents, but, as even Budæus understood it,<sup>2</sup> that amount of property entered in the assessment register. If the assessment of Nausinicus, therefore, was still in force, which was made the foundation of the propositions presented in Olymp. 106, 3 (B. C. 354) in the speech on the *symmoriæ*, then the person who pos-

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when his plan was established by law, see Æschin. ag. Ctesiph. p. 614. The public authority to which the law was first proposed was the council. They referred it to the people (according to the credible, although not entirely reliable document in Demosth. on the Crown, p. 261, 17), and it was discussed by the latter in several assemblies (Dinarch. ag. Demosth. p. 33). Instead of *εἰσέηνεγκε νόμον εἰς τὸ τριεραρχικὸν* in the speech on the Crown is to be read, according to p. 329, and a manuscript: *εἰσέηνεγκε νόμον τριεραρχικόν*. I mention this in order that it may not be supposed that there was a public authority, or an official apartment called *τὸ τριεραρχικόν*. Apsines in the Rhetoricians by Waltz, Vol. IX. p. 468, has derived the expression *τριεραρχικὸς νόμος* from the passage on p. 329.

<sup>1</sup> Demosth. as last cited, p. 262, at the top: *Κατάλογος. Τοὺς τριεράρχους αἰρεῖσθαι ἐπὶ τὴν τριῆρη ἀπὸ τῆς οὐσίας κατὰ τίμησιν, ἀπὸ ταλάντων δέκα· εἴν δὲ πλείονων ἢ οὐσίᾳ ἀποτετιμημένη ἢ χρημάτων, κατὰ τὸν ἀναλογισμὸν ἕως τριῶν πλοίων καὶ ὑπηρετικῶν ἢ λειτουργία ἔστω· κατὰ τὴν αὐτὴν δὲ ἀναλογίαν ἔστω καὶ οἷς ἐλάττων οὐσία ἐστὶ τῶν δέκα ταλάντων εἰς συντέλειαν συναγομένοις εἰς τὰ δέκα τάλαντα*. I will remark here on account of the derivation of the text in a certain edition, the editor of which, however, has in the mean while returned to the correct reading, that the official Attic form is *τριῆραρχος*, and *γυμνασίαρχος*, not *τριεράρχης*, *γυμνασίάρχης*. This is proved by the inscriptions; for example, Beilage I. and VII. Hyperides certainly used the form *συμμοριάρχης*, and in the law in Æschines ag. Timarch. p. 38, 39, is found the form *γυμνασιάρχης*. What opinion we are to form of the last case, I leave undecided.

<sup>2</sup> As last cited, p. 543.

essed property to the amount of fifty talents was required to perform trierarchal services for one trireme ; the person who was possessed of 150 talents, or more, as Diphilus, for example, was to perform the same services for three trireme, and for a proportional amount of property, for a tender in addition. But in order that the burden might not be excessively grievous this was the highest rate of service, even for the most wealthy individuals ; so that from the person who possessed property to the amount of five hundred talents a higher rate of service was not required ; the person who possessed but a small amount of property contributed in proportion to his assessment, which, the less the amount of his property, was a proportionately less portion of the same.

By this law a great alteration was effected. All who possessed any taxable property at all were now summoned to the performance of the services pertaining to the trierarchy. But the burdens of the poorer class, who were formerly very much oppressed during the time of the twelve hundred partners (*συρταεῖς*), were alleviated, and this was the intention of Demosthenes ;<sup>1</sup> and the person who formerly contributed a sixteenth to the trierarchy of one ship became, as Demosthenes himself remarks, the trierarch of two ;<sup>2</sup> that is to say, if his taxable capital amounted to twenty talents. Of persons who were assessed a still higher amount than that above mentioned Demosthenes says nothing, and it would almost seem as if at that date there were no higher assessments, although in the law provision is made for such assessments, and, if the accounts which we possess are correct, there must have been such assessments.

The consequences were, as Demosthenes says, highly beneficial. During the whole war, in which the trierarchy was conducted according to the regulations introduced by the new law, no trierarch supplicated the interposition of the people, none fled to the altar of Diana at Munychia, none was thrown into prison ; no trireme was lost to the state, or remained lying at the docks, because, as had formerly been the case when the poorer class did not possess the means of performing the required services, it could not be sent to sea.

We do not learn from the ancient authors what were the

<sup>1</sup> See the speech on the Crown, p. 260-262.

<sup>2</sup> The same, p. 261, 2 ; comp. p. 260, 27.

duties and services of the trierarchs under the new law, but they were doubtless the same as during the period of the preëxisting *symmoriæ*.<sup>1</sup> If the distribution of these duties and services were actually made in the manner directed by law, and if they were performed in rotation by the whole number of persons assessed, without continually having recourse to the same wealthy individuals, they could not have been oppressive. If we reckon that, as formerly, the expense occasioned by the performance of the trierarchal duties amounted at the most to a talent, the total amount of the expenses of the trierarchs for one hundred, two hundred, three hundred triremes would be the same number of talents, or  $\frac{1}{60}$ ,  $\frac{1}{30}$ ,  $\frac{1}{20}$ , of the assessment, that is for the first class  $\frac{1}{3}$ ,  $\frac{2}{3}$ , 1 per cent. of their property, for the poorer classes proportionally less; but of the annual incomes, if they are considered only the tenth part of the property,  $3\frac{1}{3}$ ,  $6\frac{2}{3}$ , ten per cent. in relation to the most wealthy class. We may reckon, however, that Athens at that date had only between one hundred and two hundred triremes really in active service; three hundred, at least very seldom, although the orators were fond of talking about "the three hundred triremes;" so that this war-burden amounted on an average for the richest class to only between  $\frac{1}{3}$ , and  $\frac{2}{3}$  per cent. of their property.

Probably the arrangement of Demosthenes, as in his former proposition concerning the regulations pertaining to the *symmoriæ*, was also in the present instance intended to apply to three hundred triremes,<sup>2</sup> although the state possessed a greater num-

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<sup>1</sup> From the naval documents (Seeurkunden) the statement is confirmed, that the trierarchal services in the later periods succeeding the date of the adoption of the law of Demosthenes, and so far down as those documents reach, were the same as they were before the enactment of the law. The introductory treatise, Chap. XIII., gives the requisite proofs in relation to this particular, although I have not indicated for every statement the period to which it refers. Also, in the same work, Chap. XII. p. 189 sqq. the cases are cited from the inscriptions which refer to the trierarchy after the enactment of the law of Demosthenes.

<sup>2</sup> Æschin. ag. Ctesiph. p. 614, according to the common reading, says in relation to this law of Demosthenes: *νομοθετήσας περὶ τῶν τριακοσίων νεῶν*. But *νεῶν* is wanting in a number of manuscripts, and proves, therefore, to be a gloss. The phrase *περὶ τῶν τριακοσίων* is in this passage used as is, in Dinarch. ag. Demosth. p. 33 concerning the same subject, the phrase *τὸν περὶ τριηράρχων νόμον*. In this latter passage the three hundred are named in the immediately preceding context. Æschines might apply to the law the distinctive appellation *περὶ τῶν τριακοσίων*, because it had particular reference to that body. If now the word *νεῶν* is stricken out, the proof fails that the law

ber of ships. There must have been requisite, therefore, as before three hundred trierarchs, serving in person. The principal burden, in this arrangement, fell of course upon the leaders of the former symmoriæ, and upon the second and third members of the symmoriæ who were next to them, or, what is the same thing, upon three hundred of the previous arrangement, as is shown by Hyperides.<sup>1</sup> Of these individuals Demosthenes says that they would readily have given him large sums of money, in order to prevent the passage of the law.<sup>2</sup> Whether the three hundred continued, after the enactment of the new law, to exist as a corporation is uncertain, but there can be no doubt that new symmoriæ, and leaders of the same were constituted,<sup>3</sup> and in these symmoriæ the three hundred most wealthy members may certainly again have been constituted the superintendents, or leaders, with an augmentation of their duties, and may, therefore, again as formerly have formed a corporate body.

Demosthenes boasts of his incorruptibility in relation to the introduction of this law; Dinarchus reproaches him with the

was designed for three hundred ships. But, nevertheless, it is probable that it was designed for that number.

<sup>1</sup> Hyperid. in Harpocr. on the word *συμμορία*. The passage of Hyperides does not prove that according to the law of Demosthenes the three hundred were appointed trierarchs, but only that upon the three hundred of the previous arrangement the principal burden fell. This must be the acceptance of the passage, when we consider it in connection with the arrangement of Demosthenes, and with his very words — Pollux, VIII. 100, says, it is true: *χίλιοι καὶ διακόσιοι: ἀπὸ τούτων ἦσαν οἱ λειτουργοῦντες*. Δημοσθένης δὲ νόμον γράψας ἀντὶ τοσούτων τριακοσίους τοὺς πλουσιωτάτους ἐποίησεν. But it is evident from the tenor of the law that this statement contains this truth only, that the principal burden still fell upon the three hundred, who had been the chief members of the twelve hundred. Comp. the Naval Documents (Seeurkunden), p. 183. The three hundred whom Demosthenes on the Crown, p. 285, 17, mentions in the narration relating to Olymp. 110 (B. C. 340) may have been the three hundred of the classes for the property taxes. At least the contrary cannot be proved.

<sup>2</sup> On the Crown, p. 260, 21. Comp. Dinarch. ag. Demosth. p. 33. In this latter passage the orator alleges that bribes were given by the three hundred: Wolf, p. CXV. after Corsini, correctly perceived that in Dinarchus the reference was to the same transaction, as the one of which Demosthenes speaks. Our disagreement, however, I leave to the consideration of the reader.

<sup>3</sup> The passage of Demosth. on the Crown, p. 329, 17, according to which Æschines was bribed by the leaders of the symmoriæ, cannot be referred to any other time than that which succeeded the enactment of the law of Demosthenes: consequently there were symmoriæ at that date, and that during the last years of Demosthenes *synteliæ* and symmoriæ still existed, is evident from the inscriptions. See the Naval Documents (Seeurkunden), p. 193 seq.



most shameful and covetous acts in relation to the same transaction: Demosthenes commends the consequences of the measure as highly beneficial; Æschines thinks that he has proved, that by it Demosthenes deprived the state of the trierarchs of sixty-five swift-sailing triremes.<sup>1</sup> Which shall posterity believe, when it wishes to form a judgment from the accounts left us by lying orators? My opinion is, that the transaction itself, and the general opinion concerning his whole political life, are in favor of Demosthenes. Instead of enlarging further upon this subject we will terminate this chapter by an attempt to ascertain the date at which this law was enacted.

The investigation of this point is very intricate. According to the document in the speech of Demosthenes on the Crown, the law was passed on the sixteenth of the month Boedromion, in the archonship of Polycles.<sup>2</sup> If we acknowledge this document to be genuine, the question arises, in what year was the official term of the pseudonymus archon Polycles? Corsini<sup>3</sup> supposes it to have been Olymp. 109, 4 (B. C. 341), which was named after Nicomachus. But if his attempt to prove the point be stripped of its turgid style, its weakness is manifest. In Olymp. 109, 4, in the archonship of the pseudonymus archon Neocles, or Nicocles, it was, according to another document in the same speech, proposed in the prytania of the tribe Hippothontis, on the last day of the month Boedromion, by Aristophon to demand from Philip the ships taken by him,<sup>4</sup> which, according to Philip's allegation, were about to aid the Selymbrians, whom at that time he was besieging. Corsini determines the official year of this pseudonymus archon to have been Olymp. 109, 4 (B. C. 341). Now the law of Demosthenes was passed on the sixteenth of the month Boedromion under the presidency of the same tribe, consequently Polycles must have been archon in the same year. Nothing further, however, appears from the law than the fact, that in the year of the archonship of Polycles the tribe Hippothontis held the third prytania,

<sup>1</sup> See Dinarch. and Æschin. as last cited.

<sup>2</sup> Demosth. on the Crown, p. 261.

<sup>3</sup> F. A. Vol. I. p. 352. He confuses himself, however, and this confusion led Wolf into error, so that on p. CXIII. seq. he represents Olymp. 109, 3 (B. C. 342), in which Sosigenes was eponymus, as the date which Corsini adopted.

<sup>4</sup> Demosth. on the Crown, p. 250.

and the same in Olymp. 109, 4, but only provided both were common years. If the year in which Polycles was pseudeponymus archon was an intercalary year, this agreement is not certain, but in that case the same tribe may have had in that year the second prytania. If we determine that the pseudeponymus archon Polycles held that office a year later than Neocles, or Nicocles, and that the same year was an intercalary year, then the agreement of the figures in relation to the prytaniæ itself vanishes. But if we, in accordance with Ideler's Metonic canon, acknowledge that the year Olymp. 110, 1 (B. c. 340), (the next year after that which Corsini supposes to have been the year of the archonship of Neocles, or Nicocles), was a common year, still it does not follow from that agreement of the figures relating to the prytaniæ that the two pseudeponymini belong to the same year. For why may not the tribe Hippothontis, in two years not far distant from each other, or even in two immediately successive years, have drawn by lot the same prytania? This possibility is incontestable; and the possibility of the supposition in this case is all that is required.<sup>1</sup> Thus we find that the tribe Aiantis often held the first place, although it was not necessarily the first in order;<sup>2</sup> and no one can deny that it might have had this good fortune two years in succession. In the second place, Corsini asserts that Demosthenes caused the law to be enacted before the war with Philip, which commenced in Olymp. 110, 1 (B. c. 340); consequently, it must have been en-

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<sup>1</sup> I remark this on account of Böhnecke's representation in his *Forschungen*, Vol. I. p. 493. He offers, as if making a bet, nine against one that the tribe Hippothontis did not draw by lot the third prytania two years in succession. Moreover, Böhnecke supposes with Clinton that the date of the siege of Selymbria was later than that of Byzantium, and also that the latter was the year Olymp. 110, 1 (B. c. 340). For our purpose this is a matter of indifference: I must say, however, that I am not convinced of the correctness of this supposition. Krüger's assertion, that the order of events (*ordo rerum*) is against it, has still weight with me, and the assertion, that Philochorus shows that Philip *first* besieged Perinthus, then Byzantium (but not Selymbria first) is unfounded. Philochorus says this in relation only to the year Olymp. 110, 1 (B. c. 340). Selymbria, therefore, may very possibly have been attacked in the preceding year.

<sup>2</sup> The tribe Aiantis enjoyed, it is true, the privilege, that its chorus never should be the last (Plutarch, *Qu. Symp.* I. 10): but in the assignment of the prytaniæ by lot it was upon the same footing with the other tribes, and might be even the last drawn. An example is found in the document in Demosth. on the Crown, p. 288. But this, however, is of doubtful authority.

acted in the year assumed. But I find no proof for the assertion that the law was enacted before the war, if by Corsini the Byzantine war is meant.

Petit,<sup>1</sup> on the other hand, assumes Olymp. 110, 2 (B. C. 339) as the year in which Polycles was archon. In Olymp. 110, 1 (B. C. 340) Philip attacked Perinthus and Byzantium. Upon this occasion, according to Philochorus, the Athenians equipped a fleet at the suggestion of Demosthenes, who wrote the decrees, and they continued their preparations in the following year also. Now Demosthenes, after having related, that by his counsel Byzantium and the Chersonesus were relieved from the attacks of Philip, mentions the trierarchal law as *the next* benefit which he had conferred upon the state.<sup>2</sup> Petit's assumption, therefore, seems to be not ill-founded.

But we may assume, also, that the law was enacted in Olymp. 110, 1 (B. C. 340), in the month Boedromion, that is, in autumn, about the month of September. Philip, according to Philochorus, attacked Perinthus in the archonship of Theophrastus in Olymp. 110, 1, and when this undertaking proved unsuccessful, he attacked the city Byzantium. It appears, however, that this occurred either at the very beginning of this civil year, or at the end of the preceding one, Olymp. 109, 4 (B. C. 341), although Philochorus, who either can have given no account of the commencement of these proceedings of Philip, or must have given a relation of it under Olymp. 109, 4,<sup>3</sup> entirely separate from the narration of the events of the succeeding year, may, under Olymp. 110, 1, have begun the narrative entirely anew. It may be alleged also, particularly in reference to Diodorus, that the historians reckon the natural year from spring to spring, and when they designate the natural year by the name of an archon, or what is the same thing, compare it with a civil year, they must of course choose that civil year three fourths of which coincide with the natural year, not the preceding year, one

<sup>1</sup> Leg. Att. III. 4, 8.

<sup>2</sup> Philochor. p. 75, 76, of the collection by Lentz, and Siebelis; comp. in addition the remark in the work on the Documents, etc. (Seeurkunden), p. 189. Demosth. on the Crown, p. 260, 4. βούλομαι τοίνυν ἐπανελθεῖν, ἐφ' ᾧ τούτων ἐξῆς ἐπολιτεύομην.

<sup>3</sup> Böhmcke also assumes that Philip's attacks upon Perinthus and Byzantium, and the assistance rendered to these cities by Athens, commenced as early as Olymp. 109, 4 (as last cited, p. 270, 474, 658, 737).

quarter of which only is coincident. But this does not seem to be applicable to Philochorus; for he seems to have related, precisely in the manner of an annalist, the events of each civil year as they occurred. Such is the aspect of these transactions, if we assume the genuineness of the documents under consideration. But if these be rejected as spurious, there remain no means for ascertaining the date of the law of Demosthenes, except the certain fact, that the law was not enacted until after the Athenians, through the influence of Demosthenes, resolved to aid the Byzantines. I consider it most probable, that it was already in force during the war on account of Byzantium;<sup>1</sup> so that we may with the most probability determine, that the date of its enactment was Olymp. 110, 1, not 110, 2.

How long the law continued in force unaltered we know not, since we have not in ancient authors any definite accounts concerning the later periods. In the speech on the Crown, (Olymp. 112, 3, B. C. 330), in which so much is said concerning it, we have no account, either that it was still in force, or that it had been repealed, or that any other arrangement had been substituted in its place. Æschines is said, however, in the same speech, under the influence of bribes received from the leaders of the symmoriae, to have spoiled the law;<sup>2</sup> and it is certainly a remarkable

<sup>1</sup> Comp. the work on the Documents, etc. (Seeurkunden), p. 189 seq. 442.

<sup>2</sup> Demosth. on the Crown, p. 329, 16. διύλυντον δ' εἶχες ἔρανον δωρεάν παρὰ τῶν ἡγεμόνων τῶν συμμοριῶν, ἐφ' οἷς ἔλυμνῳ τὸν τριαραρχικὸν νόμον. It is not probable that ἔλυμνῳ has reference to an unsuccessful attack upon the law; for the leaders of the symmoriae would not have paid two talents for such an attack, either before or after it was made. This passage, therefore, cannot be referred to the date when Demosthenes proposed the law, and when he prevailed in the action instituted against him on that account. Æschines ag. Ctesiphon, p. 614, says: τὰ δὲ περὶ τὰς τριήρεις καὶ τοὺς τριηράρχους ἀρπάγματα τίς ἂν ἀποκρίνῃαι χρόνος δύναται ἂν, ὅτε νομοθετήσας περὶ τῶν τριακοσίων (νεῶν) καὶ σαντὸν πείσας Ἀθηναίους ἐπιστάτην τάσαι τοῦ ναυτικοῦ ἐξηλέγχθης ὑπ' ἐμοῦ ἐξήκοντα καὶ πέντε νεῶν ταχυναντουσῶν τριηράρχους ὑφηγημένος, πλείον τῆς πόλεως ἡμῶν ἀφανίζων ναυτικὸν κ. τ. λ. From a superficial consideration it might seem, that the pretended proof which Æschines here alleges that he had produced was presented at the time when Demosthenes proposed the law. But that Demosthenes by causing the law to be passed had deprived (ὑφηγημένος) the state of the trierarchs for sixty-five triremes could not have been proved until the law had been carried into execution, consequently also not before the court had decided in favor of Demosthenes. For before the trierarchs were appointed according to the new law the consequences of the law could not possibly be known. Æschines says also expressly ὑφηγημένος, thus indicating that the action was complete, not just commencing, or about to be done. On the other hand the following participle ἀφανίζων proves nothing in relation to the time of the transac-



circumstance, that Demosthenes does not give even the most distant intimation that the law was still in force, or that its beneficial consequences were still manifest, and that it gave satisfaction. I conjecture, therefore, that although its principles were not relinquished, yet that by several new laws particular alterations had already been made.

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## CHAPTER XV.

### GENERAL REMARKS UPON THE EXPENSE OF A TRIERARCHY.

ALTHOUGH from what has been said it is evident that the most expensive of the public services, the trierarchy, if its duties were properly distributed and well arranged, could not be oppressive, particularly when considered in reference to the high rate of interest, yet, on the other hand, like every tax it became intolerable, when the burdens were distributed unequally and unjustly, and it exhausted the property of those who through ambition or patriotism undertook to perform more than was required. This was done, however, by many. Hence the rich impaired their

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tion, but it stands in the present tense for no other reason, than because the action denoted by it was simultaneous with the ἀφαρεῖσθαι, or ἀφαιρῆσθαι. Consequently Æschines must have attacked the law after it had been carried into execution, and the expression ἐξηλέγχθη refers to a later date than the words νομοθετήσας, and πείσας: Demosthenes, after he had at a previous date caused the law to be enacted, was subsequently convicted of having by it inflicted an injury upon the state. The ancient authors also understood that Æschines attacked the law after it had been carried into execution; for this is the meaning of the problem in Apsines τέχνη ῥητ. Vol. IX. p. 468. Walz: *Ἀισκίνης ἀνελὼν Τίμαρχον γράφει ἀναυρεῖν τὸν τριηραρχικὸν νόμον*. But its connection with the action against Timarchus is an invention of their own: These remarks, written without reference to any expression of a contrary opinion, may at the same time suffice as an answer to Bake, whose hasty attack has already been criticized by C. Fr. Hermann (Gött. gel. Anzeigen, 1849, No. 100, p. 1037, 1039). Comp. also the work on the Naval Documents (Seeurkunden), p. 183: read there, in the citation of the passage from Æschines, p. 614, instead of p. 214. In the same work also, p. 191 seq. it is remarked, that in the inscriptions nothing is found inconsistent with the continuance of the principle of Demosthenes, in general, in the regulations relating to the trierarchy during the succeeding periods.

estates by the performance of the *liturgiæ*,<sup>1</sup> and also by their profuse liberality corrupted the people. For example, Apollodorus the son of Pasion is said to have, when he was trierarch, entirely spoiled the seamen.<sup>2</sup> No wonder, therefore, that the exaggerating comic author,<sup>3</sup> in order to show the insecurity, and transitory nature of all property, which is not, as it were, held between the teeth for the purpose of being used as food, reminds his readers that the property taxes might exhaust one's whole store of ready money, that the choregus gave his chorus clothes trimmed and adorned with gold, and afterwards himself wore rags, that the trierarch hung himself in despair.

But in our days under different circumstances, and in an entirely different form, similar occurrences have been witnessed. If the ancients had been as well acquainted with our method of proceeding, of quartering soldiers, and of obtaining supplies, in time of war, our forced loans, and similar measures, in which great injustice is inflicted, the burdens disproportionably distributed, and the poor often terribly oppressed, while the rich and noble are exempt, as we are acquainted with their *liturgiæ*, they would have dreaded the former still more than they could have apprehended the latter, especially, since less judicial protection is provided for us, than was granted in ancient times. If there was with us the same publicity in the administration of the government, and in the transactions pertaining to it, as from reading her orators we find existed in Greece, just as scandalous stories concerning occurrences in our times would be transmitted to posterity, as are extant in relation to the *liturgiæ*: and if the exchange of property, customary among the Athenians, was allowed us when the burdens of war, particularly the quartering of soldiers, were imposed, the same number of courts of justice as were maintained at Athens would hardly suffice to decide the lawsuits for a city of equal extent.<sup>4</sup>

With respect to the trierarchy the accounts of the ancients, notwithstanding that the services required were different in different periods, all lead to the conclusion, that the expenses of a

<sup>1</sup> Treatise on the Athenian State, I. 13.

<sup>2</sup> Demosth. ag. Polycl. p. 1217, 20.

<sup>3</sup> Antiphanes in Athen. III. p. 103, F.

<sup>4</sup> It is to be borne in mind that these remarks were written by a German, and that they were first published in 1817. — Tr.

whole trierarchy did not amount to less than forty minas, nor to more than a talent, the average expenditure, therefore, amounting to fifty minas; and that the expenses of a half trierarchy were between twenty and thirty minas. Such cases as that of Apollodorus, who also furnished the pay of the crew of his vessel, or where one supplied more than was required by law, or managed badly, are exceptions.<sup>1</sup>

The expenses of a trierarchy, which was undertaken after the battle of Cnidus, and which continued for three years, amounted according to Lysias,<sup>2</sup> to eighty minas; upon an average, therefore, to  $26\frac{2}{3}$  minas a year. This was probably only a half, or syntrierarchy. The expenses of a syntrierarchy of two persons, in the last years of the Peloponnesian war, amounted to forty-eight minas, twenty-four for each.<sup>3</sup> Demosthenes, at a date when the state supplied but a small part of the expense, paid twenty minas to the contractor to whom he let the performance of the duties of his half trierarchy.<sup>4</sup>

The fact that at a later date, although the state furnished more than it had previously been accustomed to do, namely, both the crew, and the equipments, which at an earlier date had not been, at least often, provided by it, a talent was paid to a contractor who undertook the performance of the duties of a whole trierarchy,<sup>5</sup> may be explained from the circumstances, that the contractors, who had previously expected to take prizes, and had therefore required a less sum, may have learned wisdom from their losses, and that the equipments may have been imperfect and damaged, and the ships in need of many repairs.<sup>6</sup> The expenses of a whole trierarchy for seven years in the earlier periods of the institution (Olymp. 92, 2 to Olymp. 93, 4, B.C. 411, 405) amounted in the case of the person represented as the speaker in a speech of Lysias, to six talents, that is  $51\frac{1}{2}$  minas a year.<sup>7</sup>

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<sup>1</sup> Comp. concerning the expenses of a trierarchy the work on the Naval Documents, etc. (Seeurkunden), p. 205 sqq. particularly p. 208.

<sup>2</sup> For the Prop. of Aristoph. p. 633, p. 643.

<sup>3</sup> Lysias ag. Diogit. p. 907-909.

<sup>4</sup> See Chap. 12, of the present Book.

<sup>5</sup> See Chap. 12, 13, of the present Book.

<sup>6</sup> Comp. in reference to this particular the work upon the Naval Documents, etc. (Seeurkunden), p. 195 seq.

<sup>7</sup> See Book III. 22, of the present work.

But the proportion which the services required bore to the property before the law introduced the correct apportionment is the more difficult to ascertain, because a proportionate rate, founded upon settled principles, was not established. The only question to be examined, therefore, is what amount of property subjected the citizen to the performance of the duties of the trierarchy. But even in relation to this particular we do not find that there was any determinate rate.

Apollodorus, the trierarch, received an annual income of two talents;<sup>1</sup> the family of Demosthenes, which was subject to the performance of these duties, possessed property to the amount of fifteen talents,<sup>2</sup> which produced an annual income of at least ninety minas: and Isaus<sup>3</sup> animadverts upon the fact, that a certain person, who enjoyed an income of eighty minas, which supposes a property of about eleven talents, did not perform trierarchal duties. Critobulus is said by Xenophon<sup>4</sup> to have possessed property to the amount of more than five hundred minas, for which, according to the opinion of Socrates, there would be imposed upon him, if war should arise, beside other burdens, "the payment of the wages," also of a trierarchy, and indeed in the original the expression is in the plural number (*τριεραρχίας μισθόν*); that is, he would be required to perform the duties of the syntrierarchy, which had been introduced about twelve years before the death of Socrates, and which still continued at the date when Xenophon wrote this passage. The author uses the expression "wages" (*μισθοίς*), because a trierarch who did not immediately make the expenditures and serve in person made a payment to his associate for the services performed by him. I know of no example in which property of less amount was subject to the trierarchal services, and since the possession of property to the amount of one or two talents did not even

<sup>1</sup> See Book IV. 3, of the present work.

<sup>2</sup> The same.

<sup>3</sup> Concerns the Estate of Dionysius, p. 110.

\* *Quoniam 2 1/2 talents per annum.* This cannot mean the pay of ships' crews. If we reckon the pay without the subsistence-money at only twenty minas a month, although there were more frequently given, the result would amount to a sum, such as the trierarch must pay, or could pay. We have sufficiently proved also that the trierarch was never required to furnish the pay, and, if pay were meant, the expression would have been *ἀποδοῦναι μισθόν*, not *τρίεραρχον*.



subject the proprietor to the performance of any *liturgia*.<sup>1</sup> we may express our surprise at the assertion of Isæus,<sup>2</sup> that many persons, possessed of a less amount of property than eighty minas, had performed the duties of the trierarchy. If the foundation of this assertion be not rhetorical exaggeration, or a deception practised by the rich, who concealed their property in order that they might seem to make a greater sacrifice than was really offered, then the persons to whom Isæus refers must have been ambitious or magnanimous individuals, who did not hesitate to present to the state a considerable portion of the small amount of property which they possessed by performing the services of a *syntrierarchy*. The same may be said of a person represented as the speaker in a speech composed by the same orator,<sup>3</sup> who is alleged to have performed the services of the *gymnasiarchy* from an estate of about eighty-three minas.

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## CHAPTER XVI.

### OF THE EXCHANGE OF PROPERTY.

At the conclusion of our examination of the subject of the *liturgiæ*, there remains to be said something concerning the so-called exchange of property (*ἀντίδοσις*).

In order that the poor, particularly those whose property had been diminished by misfortunes,<sup>4</sup> might be relieved from a burden unjustly imposed, and that the rich might not have it in their power to avoid the performance of the public services, it was allowed by law that a person appointed to one of these services might transfer it to another individual believed by him to have been passed over, although more able to perform the service than himself; or, if this person refused to take it, that then the person

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<sup>1</sup> See Book III. 21, of the present work.

<sup>2</sup> Concern the Est. of Democ. as last cited.

<sup>3</sup> Concern the Est. of Menec. p. 219-223. Orell.

<sup>4</sup> Speech ap. Phœnipp. p. 1039, 1040.

proposing the transfer could demand of him an exchange of property. If the exchange was effected, the person who tendered it performed the liturgia from the property received in exchange, and the person to whom the exchange had been offered was exempted from the performance of the service.<sup>1</sup> This regulation, difficult certainly in execution, but both just and judicious in principle, was made by Solon,<sup>2</sup> and it afforded an efficient remedy against arbitrary oppression. The endeavor to assist every man in maintaining his rights, and to protect the poor, predominated in the legislation of Solon, and, contrary to the practice sometimes prevalent at the present day, without regard to the inconveniences which might arise from the means employed for the attainment of his object.

The offer of an exchange of property occurred most frequently in reference to the performance of the duties of the trierarchy, not unfrequently in reference to the choregia.<sup>3</sup> It was allowed in reference to all the other public services, and, with regard to the property taxes, in case one had a complaint to make against another, that he was ranked in a higher class than the latter, namely, among the three hundred.<sup>4</sup> The exchange of property was annually, in the cases which occurred, allowed by the public authorities to those who were appointed to the performance of any public service. The generals, to the great delay of military affairs, took cognizance of the applications which related to the trierarchy, and to the property taxes.<sup>5</sup> If the person to whom the exchange was offered immediately consented to perform the public service in the place of the person who offered to exchange with him, of course the legal proceedings ceased. If he refused to perform the service, he accepted by that

<sup>1</sup> Suid. on the word ἀντίδοσις, Lex. Seg. p. 197; Ulpian on Mid. p. 660, A; Lex. Rhet. in the Eng. edition of Phot. p. 663 (mutilated).

<sup>2</sup> Speech ag. Phænipp. at the commencement.

<sup>3</sup> Xenoph. Œcon. 7, 3; Lysias, π. τοῦ ἄδυν. p. 745; Demosth. ag. Lept. § 109, (p. 496, 20); ag. Mid. p. 565, 8.

<sup>4</sup> Speech ag. Phænipp. particularly p. 1046, 24. From this passage it is pretty evident that the transaction to which the speech relates was connected with the advance of the property taxes. Comp. also, concerning the transferring of persons from one class to another by means of an exchange of property, the argument to this speech.

<sup>5</sup> Treatise concerning the Athenian State, 3, 4; Demosth. Philipp. I. p. 50, 20; Speech ag. Phænipp. p. 1040. Comp. Suidas on the phrase ἡγεμονία δικαστηρίου in the first article.

act the exchange which was offered (*ἀντέδωκα*), that is, he consented to the necessary proceedings in relation to it in preference to performing the service.<sup>1</sup> The exchange, however, in this case was by no means immediately consummated, but judicial proceedings were then commenced, in order to determine which of the two parties upon a comparison of their estates was in the right. The person who offered the exchange, if his opponent would not undertake the performance of the service, immediately laid an attachment upon the property of the latter, and sealed up his house. The same proceeding was allowed to the latter in relation to the house, and property of the former. Then both parties promised, under the sanctity of an oath, to give a correct account of their property, and were required, within three days after taking the oath, to deliver each an inventory of his property (*ἀπόφασις*)<sup>2</sup> to the other, and upon these the further investigation of the case was founded.<sup>3</sup> Since the suit was merely a private action, and the subject of a diadicasia, the parties could, at any time before judgment was given, come to an agreement. Consequently the person to whom the exchange was offered could, even after he had consented to it, and after the houses had been sealed, and the other preliminary proceedings completed, revoke his consent, as Demosthenes did,<sup>4</sup> by undertaking the performance of the public service. If this was not done, the suit was decided in a diadicasia by the proper court.<sup>5</sup> If the court gave judgment against the person who offered the exchange, it was not made. In this manner Isocrates, by means of his son Aphareus gained his suit in opposition to Megacledes who had

<sup>1</sup> Thus Demosthenes ag. Aphob. II. p. 840, 28, and p. 841, 4, uses the expressions *ἀντιδοίην* and *ἀντέδωκα* to denote his consenting to the necessary proceedings in relation to the exchange which had been offered to him, in preference to performing the duties of the trierarchy.

<sup>2</sup> Concerning the *ἀπόφασις* (not *ἀπογραφή*) see the speech ag. Phænipp. 1039, 1043.

<sup>3</sup> Comp. concern. the proceedings in relation to the inventories, Heffter, *Ath. Gerichts-verf.* p. 379.

<sup>4</sup> See Demosth. ag. Aphob. II. p. 841; ag. Mid. p. 540.

<sup>5</sup> Speech ag. Phænipp. Comp. the Treatise concern. the Athenian State as last cited. In the latter passage the diadicasia between the trierarchs who had been appointed is the subject of discourse, in which, it is true, disputes concerning the equipments of vessels and similar matters may have been included; see the speech ag. Energ. and Mnesib. p. 1148, 17 sqq.; Suidas on the word *διαδικασία*; Lex. Rhet. in the Engl. edition of Photius, p. 665; Lex. Seg. p. 186, 12. In the last the text is so bad that one can hardly determine what is meant.

offered him the exchange. But if the suit was decided in favor of the person who offered the exchange, because it was judged by the court that the performance of the public service in question more appropriately belonged to the person to whom the exchange was offered, the latter was required either to perform the service, or to consummate the exchange, in order that the person who offered it might perform the service from the property of his opponent. Thus Isocrates, when Lysimachus had offered him the exchange of property, after the court had decided that it was his duty to perform the service,<sup>1</sup> undertook the third of the three trierarchies with which he and his son were charged;<sup>2</sup> and to the suit upon that occasion the prolix but barren speech concerning the Exchange of Property has reference.

All property movable and immovable, with the exception of mines,<sup>3</sup> was transferred in the exchange. The mines were excepted, because, being already taxed in a peculiar manner, they were exempted from the extraordinary taxes, and from the public services. On the other hand, Wesseling upon Petit asserts that all actions, and Fr. Aug. Wolf (with the expression of his surprise) that all civil actions of the persons making the exchange were reciprocally transferred. Both the alleged practices are too absurd to be imputed to the Athenian law. In relation to public actions this is too evident to need further remark.

But let us suppose that Demosthenes and Thrasylochus were

<sup>1</sup> Isocrates concern. the Exch. of Prop. 2 ed. Hall. ἐγνώσαν ἐμὴν εἶναι τὴν λειτουργίαν. Vollbrecht, de antidosi, p. 11, correctly perceived that the judgment of the court had immediate reference to the obligation to the performance of the public service, not to the obligation to make the exchange, and that it had reference to the latter, only in case the person to whom it was offered refused to perform the service to which he was adjudged. According to the decision of the question, which of the two parties should perform the service, the exchange was either allowed, or refused. The assertion of Vollbrecht, "omnes de eo iudices decrevisse putant, num bona permutanda essent necne," is in relation to me, and to my view concerning the last-mentioned lawsuit of Isocrates, a misunderstanding, since I had already, on a previous occasion, sufficiently expressed, that it was allowed to the person to whom the exchange was offered, if the cause was decided against him, either to perform the service, or to make the exchange, and that Isocrates, in consequence of losing his suit, had performed the duties of the trierarchy.

<sup>2</sup> Isocr. as last cited, p. 80, Orell. Comp. Lives of the Ten Orators, p. 240, 244. Dionys. of Halic. Life of Dinarchus, near the end. Alphareus is mentioned as trierarch in the speech ag. Euerg. and Mnesib. also, p. 1148.

<sup>3</sup> Speech ag. Phaeipp. p. 1044. Comp. my Treatise upon the Silver Mines of Laurion.



to exchange their property, and that Demosthenes had an action pending against him upon the charge of proposing an unconstitutional law; if Demosthenes had afterwards been condemned to death, would Thrasylochus have lost his life? No one certainly ever had so absurd a conception. But suppose that Demosthenes had been condemned to pay a fine of fifty talents, would Thrasylochus have been required to pay it, and, if he had been unable to do it, would he have been thrown into prison, and have suffered all the other consequences which in such cases followed? It is impossible; the law could not have punished any other than the person who had committed the criminal act. The practice was exactly the same in relation to private actions. If before the exchange was made, an action was brought against Thrasylochus for having beaten Callias, or for having damaged his property, and if after the exchange Thrasylochus had been condemned to pay to Callias a fine, or an indemnification for the damage, the former would have been required to pay the fine or the indemnification, not the person with whom he had made the exchange; because it was a personal penalty. Or suppose that Thrasylochus had a private action pending concerning mining transactions; since mines were excluded from the exchange, the suit could not in the exchange be transferred to Demosthenes.

But let us suppose another case. Demosthenes had brought an action against Aphobus upon the charge of having damaged his property, and he demanded an indemnification of ten talents. While the suit is pending he exchanges his property with Thrasylochus: here it is pertinent that the legal claim, and consequently the lawsuit, should be transferred to Thrasylochus, to be either continued, or dropped, as he pleased. In other words the legal principle was, that the persons who made the exchange should reciprocally transfer all their property excepting their mines, with all claims and demands appertaining to it, and also with all the incumbrances upon it, particularly as the speech against Phænippus shows, with the debts.<sup>1</sup> This applies to every other transfer of property, and not merely to the exchange at present under consideration. The person who ac-

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<sup>1</sup> Comp. Heffter, *Ath. Gerichtsverf.* p. 380 sqq. He concurs with me not only in the details, but also in the principle.

cepted property transmitted to him by inheritance, accepted at the same time the rights and obligations pertaining to it, and the same was the practice with regard to the person who made an exchange of property in the cases under consideration.

The single case, from which it has been concluded that rights of action were transferred in the exchange, proves just what has been stated. When the action of Demosthenes against his guardians, from whom he demanded an indemnification for that portion of his property which they had withheld from him, was to have been in four or five days brought before the court, Thrasylachus, having a malevolent understanding with the guardians, offered him an exchange of property. The object of Thrasylachus was, either that Demosthenes, if he accepted the exchange, might not be able to continue the lawsuits against his guardians, because these lawsuits, as the orator expressly says, would be transferred to the person with whom he should make the exchange, or that he might be obliged to perform the liturgia in dispute, and thus be completely ruined.<sup>1</sup> Demosthenes, not thinking of the artifices and designs of his adversaries, accepted the exchange, reserving however his claims upon his guardians in the hope of obtaining permission to institute a diadicasia, through the decision of which by the judgment of a court this reservation might be allowed him. But since he could not succeed in this, and time pressed, he revoked his consent to the exchange, and performed the duties of the trierarchy, in order that he might not be obliged to relinquish his actions against his guardians. His opponent had already remitted the claim to the guardians, and discontinued the suit which had been commenced,<sup>2</sup> although he could not have been authorized to do it until the exchange was consummated.

<sup>1</sup> Ag. Aphob. II. p. 840, at the bottom, *ἵν' εἰ μὲν ἀντιδοίην, μὴ ἐξείη μοι πρὸς αὐτοὺς ἀντιδιδέειν, ὥς καὶ τῶν δικῶν τούτων τοῦ ἀντιδόντος γινομένων.*

<sup>2</sup> The same, p. 840; Ag. Mid. p. 539 seq. The former passage reads thus: *ὥς γὰρ τὴς δίκας ταύτας ἐμῶν ἐξείναι κατ' αὐτῶν (against the guardians) ἀντιδοῖσιν ἐπ' ἐμὲ παρεκυνάσαν, ἵν' εἰ μὲν ἀντιδοίην, μὴ ἐξείη μοι πρὸς αὐτοὺς ἀντιδιδέειν, ὥς καὶ τῶν δικῶν τούτων τοῦ ἀντιδόντος γινομένων, εἰ δὲ μηδὲν τούτων (that is, none of those acts which implied the acceptance of the exchange) ποιοίην, ἵν' ἐκ βραχείας οὐσίας λειτουργῶν παντάπασιν ἀναμισθίην· καὶ τοῦτ' αὐτοῖς ἐπηρέτησε Θρασύλοχος ὁ Ἀναγνῶσις. ὃ τούτων οἶδεν ἐνθυμηθεῖς ἀντίδοκα μὲν, ἀπέκλεισα δέ, ὥς διαδικασίας τευζόμενος. οὐ τευχῶν δὲ ταύτης, τῶν χρόνων ὑποχρῶν ὄντων, ἵνα μὴ στερηθῶ τῶν δικῶν, ἀπέτισα τὴν λειτουργίαν, ἵποθεις τὴν οἰκίαν καὶ τάμνωτοῦ πάντα, βουλόμενος εἰς ἡμᾶς εἰσελθεῖν τὰς πρὸς τοινοῦσι δίκας.*

Since we have represented that all claims and demands pertaining to the property were, according to the principle of the regulation, transferred in the exchange, it may appear strange that, in this instance, a *reservation* is said to have been made; and, indeed, since Demosthenes informs us that he had in his proceedings in relation to this matter not at all taken into consideration, nor reflected upon, the plans of his adversaries, it may appear, as if he contradicted himself, since the reservation indicated had reference to the design of the adverse party to take the actions against his guardians out of his hands. The latter particular is merely apparent. Demosthenes says merely that he had not allowed himself in his proceedings to be influenced in the least degree by the malicious plans of his adversaries; for example, he had not been induced to oppose artifices to artifices. He had acted only in accordance with the circumstances of the case. He had accepted the exchange offered, of course, with the consciousness that the property which he at that time possessed was so small, that he had no reason to fear that in that transaction he would be the loser. But he had reserved the actions against his guardians, because he was firmly resolved to continue them until brought to a decision, and, without being acquainted with the plans of his adversaries, was well aware that he would have to sacrifice them in the exchange, unless he obtained the privilege of reserving them. He says, "I accepted, it is true, the exchange, but I stipulated a condition, in the hope of obtaining permission to institute a *diadicasia*. But since I did not succeed in this, and time pressed, I performed the *liturgia*, in order that I might not be deprived of the actions." The condition was, therefore, of such a nature, that it would effect a limitation of the exchange, and he stipulated it in the hope of obtaining permission to institute a *diadicasia*. But, nevertheless, he afterwards performed the duties of the *trierarchy*, because he did not obtain permission to institute the *diadicasia*, and because, in consequence of this failure to obtain it, and on account of the near approach of the time for bringing his actions against his guardians into court, he was afraid of losing his right to the same. This fear was a consequence of his not having obtained permission to institute the *diadicasia*. By means of the *diadicasia* he had hoped, therefore, to have retained his actions. But it was the condition stipulated, which gave him the hope of

obtaining permission to institute the diadicasia. Consequently the purport of the condition was the retaining, or what is the same thing, the reservation of the actions against his guardians in the exchange of which he had signified his acceptance. And, if Demosthenes nevertheless asserts that he had had no regard to the artifices of his adversaries, the only conclusion to be drawn from his assertion is, that he had, independently of those artifices, spontaneously stipulated that condition by means of which the plan of his adversaries could be frustrated.

But, it may be said, if the law required in the exchange the transfer of the actions pertaining to the estate, how then could a reservation in relation to them be at all allowed? The answer is very simple. We are acquainted with the fact of the transfer of such actions in the exchange of property from this example only of the exchange which Thrasylochus offered to Demosthenes, and from this very example we see that a reservation was possible. It was certainly a very wise policy to allow it. Very many cases are conceivable, in which the allowing of a reservation would be highly equitable. But the question whether a claim to a reservation was valid must have been subjected by the legislature to a judicial investigation and decision. By what rules its validity was to be determined we are not informed. Also it is of no consequence to us whether the motion of Demosthenes, that the reservation should be allowed, was an admissible motion, or not; since the question whether reservations were possible or not does not depend upon the manner in which the former question may be decided. Demosthenes may certainly, especially in so youthful a period of life, have made a motion which could not be granted, as has been done in all ages of the world, and is still done in litigations, even by persons of mature judgment, and his statement, that he did not obtain permission to institute the diadicasia, gives rise to the conjecture, that the president of the court did not even entertain the motion.

Moreover, the making a motion of this nature was not equivalent to bringing an action. Neither of the two parties was plaintiff, or defendant, but both laid claim to the same thing (*ἡμετέρας ἀίτου*). The one demanded that it should continue his property, the other that it should be transferred to him, and, accordingly, the question concerning the reservation was to be de-



cided by a diadicasia in the strictest sense of the term. What is said by Demosthenes can be understood of the diadicasia only in relation to the reservation. The carrying on of the lawsuit against his guardians, which Hieronymus Wolf thinks is meant by the diadicasia, cannot be intended. For this was not a diadicasia in the proper sense of the term, and the language used by the orator could not be applied to it; namely, that he could not obtain permission to institute it: for the litigation with respect to it *was brought to final judgment*. One might rather doubt, whether the diadicasia in question was a special one, or the general diadicasia which was instituted in cases relating to the exchange of property; but, doubtless, the former is the correct view. For, according to the rules of procedure in the Athenian courts of justice, a decision could not be given upon two particulars at the same time; upon the validity of the claim to the exchange and upon a reservation proposed to be made. If therefore a reservation was claimed, as was actually the case, it was first necessary that this should be either allowed or rejected; since the judgment in relation to the exchange of property, or to the performance of the public service in question, would be entirely different, according to the validity, or invalidity, of the claim to the reservation. The diadicasia in relation to the exchange of property, or to the performance of the public service, could not be entertained, until this point had been decided, and it had reference then either to the property in question with the exclusion of the portion reserved, if the reservation were allowed; or to the whole property without reserve.

We may conceive that also after the decision of the diadicasia in relation to the exchange of property, when the latter was actually consummated, new diadicasiæ might arise when additional portions of property were discovered, or new legal claims pertaining to the estate came to light, which were not previously reported, and both parties demanded them. But processes of that nature must have been very seldom required; since from the nature of the case the exchange was seldom consummated.<sup>1</sup> The person to whom it was offered, if the question was decided against him, of course preferred to perform the liturgia to giving

<sup>1</sup> This conclusion, it is true, does not follow from Lysias π. τοῦ ἀδελφῆ. p. 745, as has been asserted; but it plainly does from the nature of the case.

up his property, and receiving that of the person who offered the exchange.

Finally, the reflection may arise how could Demosthenes say, that because he had not obtained permission to institute the diadicasia in relation to the reservation, and because time pressed, or, according to his own expression, because the times were near (*τῶν χρόνων ὑπογύων ὄντων*), he had performed the duties of the trierarchy, in order that he might not be deprived of the actions against his guardians. But in reference to what event in expectation were the times near? It has been supposed that the date is meant when the trierarchy was to be undertaken, or, what is about the same thing, when the ship with which it was connected was to sail. But this is incorrect. It was of no consequence to Demosthenes how near or how distant that date was. So long as no decision was made in relation to the exchange, Demosthenes was not required to undertake the trierarchy, and he could view the matter with perfect indifference, no matter how pressing might be the necessity for the sailing of the ship. He would not be censured for the delay, but his opponent Thrasylachus, who was endeavoring to roll the burden of the trierarchy upon him, and the generals, if they procrastinated the decision of the diadicasia in reference to the exchange.

Moreover, the orator does not say that he performed the duties of the trierarchy on account of the pressure, the shortness, or the nearness of the time, in order that the ship might be despatched, but in order that he might not be deprived of the actions against his guardians. The nearness of the time, refers, therefore, to the latter; and concerning them he had a few words previously said also, that at the very date when the exchange was offered to him they were soon to come before the court; in four or five days, as he more definitely expressed it in the speech against Midias. Since therefore the time for the decision of these lawsuits was so near, he preferred immediately to perform the duties of the trierarchy, in order to secure the retaining of the actions. For he could not in the mean while have obtained the confirmation of his claim to the reservation, and he could not, and would not wait even for the decision of the diadicasia in relation to the exchange, especially since he had accepted the exchange only on a condition, the fulfilment of which he could not obtain.

But as long as the validity of the demand of an exchange of property was not judicially sanctioned, Demosthenes, one would suppose, would be still in the secure possession of his rights of property, and, consequently, could prosecute his lawsuits, and could, therefore, defer the undertaking of the trierarchy for the purpose of saving his actions, until, in case the decision of the diadicasia in relation to the exchange should be unfavorable, he should be compelled to undertake that public service. This view is perhaps well founded. But Demosthenes wished to be entirely secure. So soon, therefore, as he saw that he could not have his claim to the reservation confirmed, he saved the actions by immediately undertaking the trierarchy: and, since an exact statement of the circumstances of the case was in this instance not at all material, he could express this by saying that he had performed the duties of the trierarchy, in order that he might not be deprived of his actions. It is however conceivable also, that the guardians and Thrasylochus could make a motion for the discontinuance of the proceedings in those lawsuits, and for an arrest of judgment, and could also obtain it, because the exchange of property had been offered to Demosthenes. It is indeed even possible that there was a foundation for a motion of that nature in the laws, or in the practice of the courts. If this was not the case, Demosthenes could not have known how great an advantage his adversaries could obtain over him by means of insidious artifices. How far they went may be seen from the circumstance, that Thrasylochus, as if the exchange had been already consummated, and as if he was already in the possession of the property of Demosthenes, had remitted the actions to the guardians, even before judgment had been given. This transaction itself presupposes that Demosthenes, by the offer of the exchange, had lost the right of action against his guardians, and that the surest means of recovering it, and of frustrating all intrigues, was, at all events, to undertake the trierarchy.

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## CHAPTER XVII.

## PECUNIARY EMBARRASSMENTS, SUBSIDIES, BOOTY, PRIZES, MILITARY AND VOLUNTARY CONTRIBUTIONS, AND VOLUNTARY SERVICES.

NOTWITHSTANDING her large revenues and extensive resources, Athens, as well as other Greek States, from errors in the estimates of the sums that would be needed, and from the absence of economy in the management of the means in hand, frequently experienced in reference to the supply of even ordinary wants, the most distressing *embarrassments*.<sup>1</sup> Thus, for example, Athens, after the anarchy, when the commonwealth was entirely exhausted, was unable to pay the Bœotians two talents, and was for that reason involved in hostilities.<sup>2</sup> Thus the Thebans themselves, at a later date, did not receive from the foreigners possession of their citadel, because they were unable to raise five talents, and an expedition of the whole military force of the Arcadians, for want of nine talents, failed in attaining its object.<sup>3</sup> It may cause the less surprise, therefore, that the Grecian states had recourse to other resources than those already mentioned, particularly for defraying the expenses of war.

Among these were the *subsidies* furnished by the Persians, which were received particularly by Sparta to assist her in her contest against Athens.<sup>4</sup> There are but few instances in which Athens received, for example, through Alcibiades and Conon, support from the great king, or from his satraps. In the contests against Macedonia, when to assist the Athenians with money would have been conformable to public policy, that king of slaves, in a rude, and barbarian letter, refused pecuniary aid, but

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<sup>1</sup> For examples of the retrenchment of expenses, see Thuc. VIII. 4, and Book III. 19, of the present work.

<sup>2</sup> Lysias ag. Nicomach. p. 860.

<sup>3</sup> Æschin. ag. Ctesiph. p. 633.

<sup>4</sup> More than five thousand talents; see Book I. 3. This was done from Olymp. 91, 4 (B. C. 413), as is indicated by Andocides on the Peace, p. 103; comp. Thuc. VIII. 5.



when too late, and when they no longer dared to receive it, he offered them three hundred talents.<sup>1</sup>

The *booty taken in war* furnished another productive resource to the state: for, according to the ancient international law, the persons of prisoners taken in war, their wives, children, slaves, and their whole property movable and immovable passed into the possession of the conqueror. It was by special stipulations only that less severe conditions could be obtained; for example, that the inhabitants of a captured city should be allowed to depart, the men with a single garment, the women with two, and to take with them a definite sum of money to defray the expenses of their journey,<sup>2</sup> or that the conquered people should pay a heavy contribution, or that they should retain their landed property to be cultivated for their own use upon the payment of a rent. The troops were frequently paid from the booty. The conquered property was immediately sold. Thus the Athenian generals received from the sale of nine triremes taken from Dionysius, not even sparing the sacred property contained in them,<sup>3</sup> sixty talents. For reprisals *men were in some cases seized, and carried off* (ἀνδροληψία, ἀνδρολήψιον),<sup>4</sup> and *commissions equivalent to our letters of marque* were given against states, as well as against individuals (σῦλαι, σῦλα).<sup>5</sup> A prize court was held upon the property taken;<sup>6</sup> the tenth part of it belonged to the goddess,<sup>7</sup> the rest must in general have belonged to the captors, but under certain circumstances it fell to the state.<sup>8</sup> The proceeds were frequently considerable. For example, a ship belonging to Naucratis, which the court had adjudged to the state, was valued at nine and a half talents.<sup>9</sup>

<sup>1</sup> Æschin. as last cited, p. 632 seq. Comp. Dinarch. ag. Demosth. p. 14. In the latter the same circumstance is probably meant.

<sup>2</sup> Thuc. II. 70; Diodor. XII. 46.

<sup>3</sup> Diodor. XV. 47; XVI. 57.

<sup>4</sup> See Petit, Leg. Att. VII. 1, 17; Lex. Seg. p. 213.

<sup>5</sup> Comp. for example, concern. the phrase σῦλας δίδοναι Demosth. ag. Lacrit. p. 931, 23.

<sup>6</sup> Comp. Salmas. M. U. p. 211 sqq.; Liban. Arg. to Demosth. ag. Timocr. p. 694, 20.

<sup>7</sup> See Book III. 6, of the present work.

<sup>8</sup> Demosth. ag. Timocr.; and Liban. as last cited.

<sup>9</sup> Demosth. ag. Timocr. p. 696, 5, 14; p. 703, 15.

Heavy *contributions* were imposed upon the conquered states. Pericles levied from Samos eighty, and at another time two hundred talents, as a punishment, and as an indemnification for the expenses of the war.<sup>1</sup> Those sums, however, were not sufficient for the latter purpose. Sometimes contributions were not taken from the whole state, but from individuals whose principles were offensive to those in power.<sup>2</sup> These contributions, however, had frequently altogether the character of entirely arbitrary exactions from both friend and foe. Vessels were sent out in order to collect money (*ἀργυρολογεῖν, δασμολογεῖν*),<sup>3</sup> not barely legal tributes, but special sums, by the payment of which the unfortunate inhabitants of the islands became impoverished. Alcibiades, who possessed preëminent dexterity in making such collections, and to whom, of all their Athenian rulers, the tributary and subject states gave contributions with the most willingness, levied on one occasion one hundred talents from Caria.<sup>4</sup> The Athenians traversed the seas as pirates, in order to obtain the means of defraying the expenses of their wars; and not only in the later periods of the state, but even Miltiades, at the early period in which he lived, undertook a plundering expedition against Paros, in order to extort a hundred talents.<sup>5</sup> They also imposed fines upon the states for particular offences. For example, the Melians, or, according to a less reliable reading, the Tenians, because they had given shelter to pirates, were fined ten talents, and the sum was collected by compulsion.<sup>6</sup>

Finally, the calls frequently made in the assemblies of the people<sup>7</sup> for *voluntary contributions* (*ἐπιδόσεις*) in money, weapons, or ships, met with a ready response, and no inconsiderable resources were thus obtained for the use of the state. These contributions, since they opened the way to the favor of the people, and since many willingly sacrificed their all to the welfare of

<sup>1</sup> Diodor. XII. 27, 28; Thuc. I. 117.

<sup>2</sup> For an example, see Diodor. XIII. 47.

<sup>3</sup> See the allg. Bemerkungen zu den Tributlisten Abschn. II. in the 2d Vol. of the original of the present work.

<sup>4</sup> Xenoph. Hellen. I. 4, 9, Schn.

<sup>5</sup> Herodot. VI. 133.

<sup>6</sup> Speech ag. Theocrin. p. 1339, 21–28.

<sup>7</sup> Demosth. ag. Mid. p. 567; Plutarch, Alcib. 10; Theoph. Char. 22; Athen. IV. p. 168, E; Plutarch, Phoc. 9.

their country, and others hoped from the increase of its power the advancement of their own interests, were munificently supplied, both by citizens and aliens, especially by those of the latter who were solicitous to obtain the rights of citizenship. The voluntary trierarchies, the great sacrifices of earlier times for the expedition against Sicily, have already been mentioned. Pasion the banker furnished a thousand shields from his own workshop, and five triremes, manned at his own expense.<sup>1</sup> Chrysippus, when Alexander undertook his expedition against Thebes, presented the state a talent, and at a later date the same amount for the purpose of purchasing grain.<sup>2</sup> Aristophanes the son of Nicophemus, furnished thirty thousand drachmas to aid in defraying the expenses of an expedition against Cyprus.<sup>3</sup> Nausicles, the commander of the hoplitæ, discharged in Imbros, without requiring any remuneration from the people, the amount due for pay to two thousand men. Charidemus and Diotimus, two other commanders, upon another occasion, bestowed gratuitously eight hundred shields.<sup>4</sup> Demosthenes not only performed voluntary liturgiæ, and applied money to the erection of public works, and in aid of public undertakings, but he also gave on different occasions three triremes, at one conjuncture eight talents, at a later date, for the purpose of building the walls of the city and harbor, three talents, after the battle of Chæronea one talent, and another for the purpose of purchasing grain.<sup>5</sup> Since the state was accustomed to receive presents of such magnitude, Isæus<sup>6</sup> might justly reproach Dicæogenes, an individual who received an annual income of eighty minas, with having given only three hundred drachmas, a sum which was less than that given by Cleonymus the Cretan. It is remarkable that voluntary contributions were asked not only for defraying the expenses of wars, or to supply the necessities of the people, when suffering for the want of grain, but even for sacrifices.<sup>7</sup> The promise of a voluntary contribution constituted a debt.<sup>8</sup>

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<sup>1</sup> Demosth. ag. Steph. p. 1127, 12.

<sup>2</sup> Demosth. ag. Phorm. p. 918, at the bottom.

<sup>3</sup> Lysias for the Prop. of Aristoph. p. 644.

<sup>4</sup> Demosth. on the Crown, p. 265, upon the supposition that the decrees of the people there found are authentic and reliable.

<sup>5</sup> Decree of the people in the Lives of the Ten Orators, p. 275 seq.

<sup>6</sup> Concern. the Est. of Dicæog. p. 111.

<sup>7</sup> Plutarch, Phoc. 9.

<sup>8</sup> See the work upon the Naval Documents (Seeurkunden), p. 200, 214.

## CHAPTER XVIII.

## OF LOANS.

THE spurious, but reliable second book of the *Œconomics* attributed to Aristotle, mentions a considerable number of other measures by which the Greeks endeavored to remove a temporary pecuniary embarrassment. Some of them are common swindling and knavish tricks. I will select for particular examination the most important and remarkable of these measures; many of an opposite character I will entirely omit.

The most common and the most justifiable of these measures was the obtaining of *pecuniary loans*. This measure was not so prevalent, however, in ancient as in modern times, because in the first place there was very little confidence in relation to pecuniary matters, and in the second place the high rate of interest was a great obstacle to the borrowing of money on behalf of the state, and, finally, they had not so well established and artificial a system of finance as is requisite for that purpose. Hence they preferred to raise the sum required, if possible, immediately by a property tax to borrowing it and afterwards repaying it with an interest almost exorbitant. Nevertheless we meet with examples of loans of different kinds; loans from foreign states, and from their inhabitants, or from the inhabitants of the state which procured the loan, of moneys sacred and not sacred, on interest, or without interest, with or without security, voluntary or compulsory, upon the delivery of tokens as a substitute for money, or without such tokens.

The loans furnished by the inhabitants of the state which procured them, were the most frequent, because they required the least confidence, and were the most easily effected. Rich aliens under the protection of the state sometimes, of their own accord, offered to loan money to the government; but it was necessary for them, in making the offer, if they did not wish it to be rejected, to avoid any impropriety in language which might offend the Attic ear.<sup>1</sup> Instances of loans procured by a

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<sup>1</sup> Photius and Suidas on the word *δεμιῶν*.



state from a citizen of another state, occasionally occur.<sup>1</sup> Sparta supplied the Samians, who were endeavoring to reconquer their native country, with a sum of money to aid them in their attempt. This sum was collected by the Spartans in a manner which seems comical to us, but which to the grave Spartans certainly seemed very serious; the inhabitants, together with their cattle, fasted a day, and each person was required to contribute to the gift the value of what he would have consumed.<sup>2</sup> Probably a repayment of it was not required. The same state loaned a hundred talents to the thirty tyrants at Athens; and although some of the citizens demanded, not without an appearance of justice, that those who had borrowed the money should repay it, yet the Athenian people, whether from honesty, as Demosthenes asserts, or through fear caused by threats of the Spartans, discharged this debt by means of a general property tax.<sup>3</sup> In this loan there was, doubtless, neither interest nor security required. Loans of sacred money, or of money belonging to temples, were especially frequent. Beside the loans which Athens obtained from its temples,<sup>4</sup> I will mention that the Delian temple, which was subject to the government of Athens, loaned money on interest, not only to private individuals, but also to many states.<sup>5</sup> The moneys deposited in the hands of Lycurgus, and by him advanced for the administration of the government, may be considered loans from private individuals without interest.

Of the mortgage, or pledge, of property, in the case of loans to the state, but few examples occur. Memnon of Rhodes, the governor of Lampsacus, assigned to his creditors the revenues of the state which were next due. The same thing was done also, upon the advice of Chabrias, by Tachus the king of Egypt.<sup>6</sup> The Oreitæ, the inhabitants of a city on the island of

<sup>1</sup> C. I. Gr. No. 1569, a; 2335.

<sup>2</sup> Aristot. *Œcon.* II. 2, 9; Plutarch (on the Difference between a Friend and a Flatterer, 33), relates the same circumstance as having occurred upon the occasion of the sending of a present of grain by the Spartans to the Samians. May this heroic measure have been repeated, or is one of the two accounts untrue?

<sup>3</sup> Demosth. *ag. Lept.* § 10, 11, p. 460; Isocr. *Areopag.* 28; Lysias *ag. Nicom.* p. 860; Xenoph. *Hell.* II. 4, 19; Plutarch, *Lysand.* 21.

<sup>4</sup> See Book III. 20, of the present work.

<sup>5</sup> Beilage VII. § 2, 6, Vol. II. B. St. d. Athen.

<sup>6</sup> Aristot. *Œcon.* II. 2, 29, 25. *Comp. Polyæn.* V. 11, 5.

Eubœa, are said to have pledged to Demosthenes the public revenues for a debt, subject to interest;<sup>1</sup> and at Orchomenus, the cattle-pastures appear to have been mortgaged to an Elatœan as security for a loan.<sup>2</sup>

Compulsory loans are all those loans which were imposed by a decree of the people, or by the command of a tyrant, upon certain persons, because they were either uncommonly wealthy, or were in possession of those articles for the procurement of which the loan was required. The advance of taxes made by the wealthier of the Athenians, although the state was not in this case the debtor, but those persons who were subject to the payment of taxes of a smaller amount, was in a measure a loan of this nature.<sup>3</sup> The Chians imposed a loan, which affected only the capitalists of the island; for they commanded that debtors should pay to the state all the capital sums due to private individuals, and the state engaged to pay the interest on the same out of the public revenues until it should be able to pay the principal.<sup>4</sup> The elder Dionysius, and Tachus, demanded all the uncoined gold and silver in their respective states, as a loan. The Mendœans, in order to obtain money to carry on the war against Olynthus, decreed that every person in the state who possessed slaves should sell them, with the exception of one male and one female, and should loan the proceeds to the state. The Clazomenians, in order to procure a supply of grain during a time of scarcity, by a decree of the people caused an advance to be made by private individuals of all their stock of oil, an article produced in that region in great abundance, for which they were to pay them interest on its value. The Ephesians prohibited their women from wearing golden ornaments, and commanded them to deliver as a loan to the state those which they possessed.<sup>5</sup> The Clazomenians were indebted to their mercenary troops for pay to the amount of twenty talents, and they paid to the leaders of the troops an annual interest of four talents on this debt. Thus they were continually paying out

<sup>1</sup> Æschin. ag. Ctesiph. p. 496.

<sup>2</sup> See C. I. Gr. No. 1569, a.

<sup>3</sup> See Book IV. 9, of the present work.

<sup>4</sup> Aristot. Œcon. II. 2, 12.

<sup>5</sup> Aristot. Œcon. II. 2, 20, 25 (comp. Polyæn. V. 11, 5), 21, 16, 19.

money without deriving any benefit from it, and without discharging any portion of the debt. They coined, therefore, twenty talents of iron money, to which they arbitrarily gave the value of silver, made a proportional distribution of it among the most wealthy inhabitants of the state, caused that amount of silver to be paid to themselves, and with it discharged the debt.<sup>1</sup> The iron having been put into circulation, and having thus supplied the place of silver, the amount of ready money in the state was not diminished. The iron money performed the same service in the state which silver had previously done, and the silver which remained could be employed for the purposes of foreign commerce. To that extent the iron money was identical in its uses with the paper money of modern times. But the state also paid interest to those persons whose silver it had received, and gradually redeemed the iron by paying silver for it. Thus these iron tokens resembled at the same time evidences of debt. The rate of interest must of course have been less than the usual rate. They probably paid an interest less than the usual rate, because the creditors possessed at the same time the iron tokens, which were current as money. If the state paid an interest of ten per cent., it might have paid with the four talents which had previously been given to the commanders of the troops every year, both the interest, and also, in less than eight years, the principal.

Moreover, the state gave, (which hardly deserves mentioning,) as well as private persons, bonds, as evidences of debt, which were sometimes deposited in the hands of private persons,<sup>2</sup> particularly of bankers; but, if the creditors were the treasurers of sacred moneys, the bonds were deposited in temples and elsewhere.<sup>3</sup>

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<sup>1</sup> Aristot. *Œcon.* II. 2, 16.

<sup>2</sup> C. I. Gr. No. 1569.

<sup>3</sup> Beilage III. § 5, Vol. II. of the original of the present work.

## CHAPTER XIX.

## ALTERATIONS OF THE CURRENCY.

A FRAUDULENT financial expedient sometimes practised, effective for the moment only, but pernicious in its consequences, was the *coining of base kinds of money*.

Many Greek states, according to Solon, made use, even in his time, without concealment, of silver money alloyed with lead or copper.<sup>1</sup> By this practice, it is true, the inland trade and the state received no detriment, but for external trade, or use in foreign countries, the money was either entirely worthless, or else greatly depreciated. The state, however, seldom became designedly a coiner of base money, like the elder Dionysius, who for the accomplishment of his purposes did not scruple shamelessly to employ base artifices of all kinds. In order to repay a loan which he had procured from the citizens for the purpose of building some ships, he compelled the creditors to receive coins made of tin, which, according to Pollux, who probably follows Aristotle in his account of the political constitution of the Syracusans, were current for four drachmas, but were worth only one drachma each.<sup>2</sup> Upon another occasion, being unable to pay a loan when payment was required of him, he commanded, under penalty of death, that all the silver in the territory under his government should be delivered to him, coined it, and gave to one drachma the value of two, and paid the debt according to that standard.<sup>3</sup> Hippias the son of Pisistratus had earlier than this ventured to commit a similar act of baseness at Athens. He decried the current silver coinage, and caused it to be delivered to him at a prescribed value; when it was afterwards determined to issue a new coinage, he reissued

<sup>1</sup> Demosth. ag. Mid. p. 766, 10. Comp. Xenoph. concern. the Public Revenues, 3.

<sup>2</sup> Aristot. Econ. II. 2, 20; Pollux, VIII. 79. That the elder Dionysius is meant is shown by the mention of the siege of the Regini, which occurred in Olymp. 98, 2 (B. C. 387). Comp. Diodor. XIV. 111.

<sup>3</sup> This is the meaning of the words in Aristot. Econ. The two anecdotes are entirely different; since they were collected by the same writer. Salmassius (M. u. p. 247) confounds them, and arbitrarily mutilates the words of Pollux.



the same silver at a higher value than that for which it had been exchanged.<sup>1</sup> Republican Athens, on the other hand, was proud of its pure coin, everywhere current at its full value; and although in a later period of the state the weight and standard were somewhat diminished, yet the state, which had itself imposed the penalty of death upon the crime of counterfeiting the coin,<sup>2</sup> never derived any advantage from the adulteration of its silver coinage.

Athens, however, in the archonship of Antigenes, Olymp. 93, 2 (B. C. 407), at a time when the state was involved in pecuniary embarrassment on account of the great military and naval preparations which it was making, issued adulterated gold coins, made of the melted statues of the goddess of victory:<sup>3</sup> and in the very next year after the issuing of this gold coinage adulterated with copper, in the archonship of Callias, Olymp. 93, 3 (B. C. 406), copper money was coined.<sup>4</sup> The latter was afterwards decried.<sup>5</sup> This copper money was undoubtedly intended to supply the place of the smaller silver coins from the obolus downward and not according to its actual value, otherwise it would hardly have been decried. Beside this, Athens had a copper coinage, which was constantly current, the chalcûs, of the value of one eighth of an obolus, and the lepta. These copper coins, which existed even in the earlier periods of the state, were

<sup>1</sup> This is the meaning of the passage, Aristot. Œcon. II. 2, 4.

<sup>2</sup> Demosth. ag. Lept. p. 508, 13; ag. Timocrat. p. 765, at the bottom.

<sup>3</sup> See Book I. 6, of the present work. Demetrius also, π. ἐρμην. § 281, alludes to this circumstance, and from him Quintilian, I. O. IX. 2, 92, in the expression "Victoriis utendum esse."

<sup>4</sup> Schol. Aristoph. Frogs, 737.

<sup>5</sup> Aristoph. Eccles. 810 sqq. The commentators upon Aristophanes, and Eckhel, (see Book I. 6, of the present work) have confounded the gold coinage adulterated with copper, and the copper coinage. If the words of Aristophanes are correctly explained, it will be perceived that the poet refers to the former in the Frogs, to the latter in the Ecclesiazusæ. They are distinguished also by the difference of the dates, which the scholiast gives from a reliable source; namely, in the scholium on Vs. 732, of the gold coinage adulterated with copper, which Aristophanes himself in the Frogs calls τὸ καὶ νὸν χρυσίον, and subsequently in derision πονηρὰ χαλκία, the archonship of Antigenes; and in the scholium on Vs. 737, of the copper coinage itself, the archonship of Callias. In the latter scholium he says that Aristophanes meant by the πονηρὰ χαλκία the adulterated gold coins, but he then adds: δύναιτο δ' ἂν καὶ τὸ χαλκοῦν (νόμισμα) λέγειν· ἐπὶ γὰρ Καλλίου χαλκοῦν νόμισμα ἐκόπη. He means, of course, the Callias who was archon next after Antigenes; for the comedy of the Frogs was first represented in the archonship of this Callias.

perhaps introduced by the statesman and elegiac poet Dionysius, surnamed the Brazen<sup>1</sup> on account of a coinage of copper money, with which he was concerned. He went in Olymp. 84, 1 (B. C. 444), as one of the leaders of the colony, to Thurii,<sup>2</sup> and consequently can hardly be considered as the author of those regulations relating to the coinage which were made in Olymp. 93 (B. C. 408). Finally, passing over the later Athenian copper coins, I will mention the copper coinage, issued by Timotheus, as an expedient to relieve himself from a temporary pecuniary embarrassment. But this must be considered as resembling paper money current for the full value of its purport; for its value was guarantied by the general's receiving it in payments, in the stead of silver, and by his promise to redeem the remainder.<sup>3</sup>

The introduction of all kinds of adulterated coins is caused either by a fraudulent design, or by a scarcity of the precious metals, or, finally, by the conviction that the precious metals are a source of corruption, and ought not, therefore, to have a domestic circulation. From the latter cause Plato proposes for his second state, according to the Doric model, one kind of money for domestic circulation, but entirely worthless to foreigners (*νόμισμα ἐπιχώριον*), to which the state by its authority was to give currency; and beside this, another kind of money, which was not to be put into circulation, but was to be retained in the custody of the state, and to be universally current throughout Greece (*κοινὸν Ἑλληνικὸν νόμισμα*), for the use of travellers in foreign countries, and for carrying on war.<sup>4</sup>

This was not a mere theoretical conception, but a plan of this nature was actually realized in Sparta.<sup>5</sup> Even as early as the period of the Trojan war, silver and gold were well known in the Peloponnesus. For example, the Achæan Spartan Menelaus possessed a portion of each of those metals. But pure gold was for a long time scarce.<sup>6</sup> Silver, however, must have been

<sup>1</sup> Athen. XV. p. 669, D.

<sup>2</sup> Plutarch, Nicias, 5. Comp. also Metrol. Unters. p. 340. Concerning his poetry, see Aristot. Rhet. III. 2; Athen. XV. p. 669, E; p. 702, C; X. p. 443, D; XIII. p. 602, C; and Osann Beitr. z. Gr. und Röm. Litt. Gesch. Bd. I.

<sup>3</sup> See Book II. 24, of the present work.

<sup>4</sup> Laws, V. p. 742, A.

<sup>5</sup> In the following recital I differ somewhat from Manso (Sparta, I. 1, p. 162). It is left to the reader to decide between us.

<sup>6</sup> See Book I. 3, of the present work.

among the Greeks, as well as in other nations, the most common medium of exchange, since it was found in almost every country. In the more ancient periods, however, it was not coined, but was circulated in bars, or rods of a certain weight. But the Dorians, being mountaineers who carried on no trade, certainly possessed but little of the precious metals: and since it was a popular principle, founded upon the character of the people, and permanently established by the so-called legislation of Lycurgus, to abstain, as much as possible, from intercourse with other races, the use of gold and silver, as a medium of exchange, was prohibited by them, long before gold was coined. For this reason none, or but very little, was brought into their country. If this prohibition had not been introduced at an early date, it could not have been ascribed to Lycurgus. So ancient a name could not have been connected with a regulation established at a late date. Base metal alone, therefore, was allowed in Sparta to be used as the common medium of exchange, and because iron was especially abundant in the country, iron bars (*ὀβελοί, ὀβελίσχοι*), which, perhaps, were stamped with a mark to indicate their value, were used for that purpose: while in other countries bars of copper,<sup>1</sup> or of silver, were current, and hence the obolus or spit, and the drachma, that is, as much as one can hold in his hand, received their names. When afterwards Pheidon suppressed the use of bars as money,<sup>2</sup> and introduced coined money, the Spartans also coined large and rude iron coins, and they either used for this purpose, as the author of the Eryxias asserts, those portions of that metal which could not be applied to other uses, — such, perhaps, as are now employed for making cannon-balls, — or, as others say, they softened the better kinds of iron, and rendered them useless for reforging, by cooling them, when heated, in vinegar.

But when Sparta began to aspire to foreign dominion, it needed a currency for foreign use: her citizens solicited money at the gates of the Persians, imposed tributes upon the inhabitants of the islands, levied a contribution of a tenth from all the Greeks. A large quantity of the precious metals was brought into the

<sup>1</sup> Plutarch, *Lysander*, 17. Comp. concern. the obolus the passages cited in Book I. 15, of the present work.

<sup>2</sup> Comp. Etym. on the word *ὀβελίσκος*.

country particularly by Lysander; and, as we learn from the first Alcibiades of Plato, the wealthy Spartans possessed a large amount of gold and silver; for it was not allowed to be taken out of the country by private individuals. But in this very period the prohibition of the use of the precious metals by private persons was repeated, the penalty of death was denounced against the possessor of gold and silver, and, as in Plato's plan of a state, the commonwealth remained by law the exclusive holder of the precious metals; a sufficient proof that this was a very ancient custom of the Spartans.<sup>1</sup> But yet in the times which immediately succeeded it was again neglected, because it is impossible, after men have once become acquainted with the attractions and splendor of gold, to maintain such a prohibition in force. At Sparta, therefore, the use of iron money was founded upon ancient custom, and moral views.

The case was quite different in relation to the iron money of the Byzantines. It was similar to the iron money of the Clazomenians, with this difference only, that it was not at the same time an evidence of debt. Byzantium, notwithstanding its favorable situation for commerce, and the fertility of its territory, was generally in a miserable condition. The Persian and Peloponnesian wars, the wars of Philip, and the alliance with the Athenians, together with the tributes exacted by the latter, must have unfavorably affected its prosperity. With the barbarians in its vicinity it was engaged in continual contests, and was unable to restrain them, either by force, or by tributes; and to the other evils of war was added the tantalizing vexation, that, when with much labor and expense they had raised a rich crop upon their fertile fields, their enemies destroyed it, or gathered what they had sown; until at last they were obliged to pay the Gauls valuable presents, and, in a later period, a high tribute, to prevent the devastation of their fields.<sup>2</sup> These difficulties compelled the adoption of extraordinary measures, and finally the exaction of the toll on vessels passing the Bosphorus, which in

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<sup>1</sup> All these facts are derived from comparing the following passages: Plutarch, Lysand. 17; Lacon. Apophthegm. Lycurg. 9, 30; Polyb. VI. 49; Pollux, VII. 105; IX. 79; Xenoph. the Laced. State, 7; Porphy. de Abstin. III. p. 350; Eryxias, 24. Comp. Salmas. Usur. p. 320.

<sup>2</sup> Polyb. IV. 45, 46; Liv. XXXVIII. 16. Comp. Herodian, III. 1, and other authors concerning the fertility and good situation of the country.



Olymp. 140, 1 (B. C. 220), involved Byzantium in the war with Rhodes.

Among the earlier measures, adopted by them for relieving themselves from pecuniary embarrassment, was the introduction of an iron coinage for domestic circulation, in order that they might use the silver in their possession for the purposes of foreign trade, for carrying on war, and for tributes. It was current during the period of the Peloponnesian war, and received the Doric appellation *sidareos*, as the small copper coin of the Athenians received that of *chalcûs*.<sup>1</sup> Since it was thin and worthless,<sup>2</sup> it appears to have been merely a strong plate of iron, having an impression on one side.

The Greeks had no money made of other materials than metals. We have no disposition to present a formal refutation of those authors<sup>3</sup> who report an account of the leather money of the Lacedemonians; a fable, which we need not attempt to put aside by worthless emendations of ancient authors, as Salmasius<sup>4</sup> does in relation to a passage of Pliny; but which must be rejected as an error. The same remark will apply to the leather money alleged to have been used by the Romans before the reign of Numa. But money of that description was in use among the Carthaginians; for we are informed that some unknown substance, of the size of a stater, enveloped with a piece of leather impressed with the seal of the state, was used as a substitute for money made of metal.<sup>5</sup>

<sup>1</sup> Aristoph. *Clouds*, 250; Plato the comic author in the *Schol.* Aristoph. as last cited; Strattis in Pollux, IX. 78.

<sup>2</sup> *Λεπτόν, ἐλάχιστον πάντων καὶ φανλότατον*, *Schol.* Aristoph. as last cited; Pollux, as last cited (comp. VII. 105); Hesych. on the word *σιδάρεσι*. *Ἐλάχιστον*, according to the usage of even Attic authors, already noticed by previous writers, refers not to the small size of the coin, but to its inferior value. This iron coin is mentioned also in Aristid. *Plat. Orat.* II. Vol. II. p. 145. Jebb.

<sup>3</sup> See the passages in Fischer on Eryxias as last cited.

<sup>4</sup> *Usur.* p. 464 sqq.

<sup>5</sup> See concerning it Salmas. as last cited, p. 463 seq. Fischer as last cited.

## CHAPTER XX.

## VARIOUS OTHER FINANCIAL MEASURES.

GREAT respect was manifested by the Greeks for sacred property, and although foreign temples were sometimes violated, as, for example, by the Phocians, and by the Arcadians in Olympia,<sup>1</sup> yet these violations did not fail to meet with the disapprobation of all the Greeks, and even of many of the fellow-citizens of the perpetrators. The Athenians, it is true, borrowed money from the temples, and Pericles advised them even to take off the separable portions of gold on the statue of Minerva, — but with the promise of restoring them.<sup>2</sup> None but coarse tyrants, who mocked at every thing sacred, a Dionysius, a Lacheres, and others of similar character, for example, were so shameless as, either with, or without a witticism, to rob temples. But although the Greeks, in general, even to the period of their entire decline, cherished reverential feelings towards the gods, yet the confiscation of sacred property is a Greek conception. Upon the advice of Chabrias, Tachus announced to the Egyptian priests, that, on account of his pecuniary embarrassment, a number of the sanctuaries, and of the sacerdotal offices must be abolished. Since every priest wished that the sanctuary with which he was connected should continue, they all separately gave him money. He did not receive it, however, from particular individuals alone, but from all of the priests, and then allowed all their sanctuaries, and offices to continue, but restricted their expenses to a tenth part of their former amount, and demanded the remaining nine tenths as a compulsory loan until the end of the war. At the same time, in pursuance of the advice of the same Athenian, he levied a tax upon houses, a poll-tax, a tax upon grain, of an obulus from the seller for every artaba of grain sold, and of the same sum from the buyer, and an income tax of ten per cent. from the

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<sup>1</sup> Xenoph. Hellen. VII. 4, 33 sqq.

<sup>2</sup> Thuc. II. 13. Comp. Book III. 20, of the present work.

proprieters of vessels, the possessors of workshops and manufactories, and from all other persons exercising any trade or occupation for a livelihood.<sup>1</sup> Thus also Cleomenes, Alexander's satrap in Egypt, threatened to diminish the number of the sanctuaries and priests, and obtained from the latter, in the same manner as had been done by Tachus, a large amount of money; since each of them wished to preserve the sanctuary with which he was connected.<sup>2</sup>

Another favorite method of obtaining money, well known to the Athenians also, was the appropriation by the state of a monopoly in certain commodities. Of this I have treated in the first book.<sup>3</sup>

There was an appearance of justice in the measure of the tyrant Hippias, when, in order to obtain money, he caused those portions of houses which in the upper stories, or by juts, or balconies, projected over or into the street, steps, stairs, and balustrades extending into the same, and doors opening outward, to be sold, because the street was public property, and ought not to be obstructed in that manner. The proprietors bought them, and he obtained by the measure a considerable sum of money.<sup>4</sup> At a later date, upon the advice of Iphicrates, the same measure, for a similar purpose, and with the like result, was adopted by an assembly of the people.<sup>5</sup> The exemption of individuals from the performance of the duties of the trierarchy, and of the *cho-regia*, and from other *liturgiæ*, upon the payment of a moderate sum of money, thus casting additional burdens upon those who were not exempted, was another scandalous measure of the same Hippias.<sup>6</sup>

The Byzantines,<sup>7</sup> at a period of pecuniary embarrassment, sold the unproductive lands of the state, by which term are to be

<sup>1</sup> Aristot. *Œcon.* II. 2, 25.

<sup>2</sup> The same, 33.

<sup>3</sup> See Chap. 9, Book I. of the present work.

<sup>4</sup> Aristot. *Œcon.* II. 2, 4.

<sup>5</sup> Polyæn. III. 9, 30.

<sup>6</sup> Aristot. *Œcon.* as last cited.

<sup>7</sup> See Aristot. *Œcon.* II. 2, 3. *Τεμένη δημόσια* were lands belonging to the state which were not connected with temples; otherwise they would be *ιερά*. After *ἀλατοπωλίαν* I insert, in order to make sense of the passage, the word *ἔδωκαν*, and erase *δὲ* after *τρίτον*. But even after these emendations the passage seems to be defective: so that our account is not entirely reliable.

understood uncultivated lands, forests, and the like, in perpetuity, but the usufruct of the productive lands for a definite term; the price received for the latter being actually nothing more than the rent for a succession of years paid in advance. The same measure was adopted in relation to the landed property of religious communities, and of *phratriæ*, or *patriæ* (*θιασωτικά καὶ πατριωτικά*), particularly that which was environed with the lands of private persons, because the proprietors of the latter would readily pay a high price for landed property in that situation. As a remuneration for their landed property the communities received portions of the public lands connected with the gymnasium, or situated in the market-places or on the harbor, also the places appropriated for the sale of commodities, the sea-fisheries, and the monopoly of salt. From jugglers, fortune-tellers, and quacks they decreed that a tax should be levied of the third part of their gains. The money-changing business, which, if the iron coin was at that date in existence, must have been of special importance, was farmed to a single bank, and all persons were prohibited from buying or selling money elsewhere under penalty of forfeiting the sums thus bought or sold. The rights of citizenship also were sold. For the law required that the rights of citizenship should be enjoyed by those alone who were descended both upon the father's and the mother's side from citizens; but these rights were bestowed for the sum of thirty minas upon those persons one only of whose parents in each case was a citizen. As several of the aliens under the protection of the state had lent money upon mortgages of landed property, but could not legally obtain possession of the property, they granted them the right of taking possession, on condition that they should pay to the state the third part of the principal lent. Upon the occurrence of a scarcity of grain they detained the ships coming from the Pontus, and when at length the merchants complained of the delay, and of having been detained so long for the purpose of giving the Byzantines an opportunity of individually purchasing grain, they allowed them as a remuneration an interest of ten per cent. upon their sales. In order to regain this sum they imposed upon the sales a tax of like amount.<sup>1</sup>

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<sup>1</sup> This is the meaning of the account which Salmasius, M. U. p. 219, has entirely misunderstood.



## CHAPTER XXI.

XENOPHON'S PROPOSITIONS FOR ENHANCING THE PROSPERITY OF  
ATHENS.

THE defects of the Athenian system of finance were not unnoticed by the men of discernment in ancient times. In particular it was manifest that it was founded upon foreign resources. The rulers of the state were sensible of the injustice inflicted upon the allies, and condemned it; but they believed themselves to be compelled to it by the poverty of the mass of the Athenian people.<sup>1</sup>

Induced by considerations of that nature Xenophon<sup>2</sup> toward the close of his life, probably in Olymp. 106, 1 (B. C. 356), after his sentence of banishment had been annulled at the suggestion and through the influence of Eubulus, composed his Treatise concerning the Public Revenues, or on the Sources of Public Prosperity (*περὶ πόρων*). He even seems to have written it to promote the views of Eubulus, with whose love of peace, passion for the theorica, and active care to advance the interest of the people, whereby he obtained so great favor, this treatise is very compatible.<sup>3</sup> He prosecutes the inquiry whether the Athenians

<sup>1</sup> Xenoph. concern. the Pub. Rev., near the commencement.

<sup>2</sup> I acquiesce in the ascription of this treatise to him, since I can allege no reliable reasons against acknowledging him to be the author, but many on the contrary for it; although complete certainty in relation to the latter point is wanting.

<sup>3</sup> That this treatise was written for Eubulus was first remarked by my venerable friend Schneider, p. 151, with much probability in favor of his opinion. He has also in his essay, p. 137 sqq., as well as in his notes, sufficiently refuted the singular opinion of Weiske, that the date of the treatise was Olymp. 89, 3 (B. C. 422). What I had written, before the appearance of Schneider's edition, concerning the date of the treatise, corresponds, in general, with the result of his investigation. But, as there are some discrepancies between us, I will briefly give my opinion. From sections 2, 7, and 6, 1, it is manifest, that the author was no longer an exile; and I could wish that Schneider (on 4, 43) had not been induced by Weiske erroneously to suppose that the treatise was written in Scillus or Corinth, because in that passage Thoricus is represented as situated at the north, and Anaphlystus at the south of the author's place of residence; for this could not more appropriately be said in the Peloponnesus, than in Athens. We do not indeed know the date of Xenophon's recall, nor how long afterwards he remained

could not obtain sufficient subsistence from their own country. He finds the land to be excellent for this purpose, the climate

at Athens; for he is said to have died at Corinth: but it appears to me that Eubulus could not have had any influence before Olymp. 102 or 103 (B. C. 372 or 368); and the date might rather be set later. The treatise refers to the following events which occurred after Olymp. 100, (B. C. 380): 1. The voluntary election of Athens to the supreme command at sea (5, 6): 2. The voluntary acknowledgment of the Athenian hegemonia over Thebes on the part of the Thebans themselves (5, 7), after the latter had received favors from Athens; both these events occurred in Olymp. 100,  $\frac{3}{4}$  (B. C. 377) (see Book III. 17, of the present work concerning them both; Schneider's account, p. 173, is different); 3. Sparta allowed Athens, because it had been supported by the latter, the unrestricted enjoyment of the hegemonia (5, 7): this event occurred in Olymp. 102, 4 (B. C. 369) (Xenoph. Hellen. VII. 1; Diodor. XV. 67; comp. Schneider, p. 174) after Athens had supported the Spartans against the predominance of Epaminondas; 4. Athens assisted the Arcadians with a military force under the command of Lysistratus, whose name does not occur elsewhere (3, 7); this event could not have happened until after the alliance formed in Olymp. 103, 3 (B. C. 366); (comp. Xenoph. Hellen. VII. 4, 2 sqq.; Diodor. XV. 77; Schneider, p. 150). Moreover, in the passage last cited of Xenophon's Treatise reference is also made to the campaign under Hegesilaus who commanded at the battle of Mantinēa (Diog. L. in the Life of Xenophon, Schneider, p. 150): this occurred in Olymp. 104, 2 (B. C. 363); for there can be no reference in the passage to the expedition against Plutarch in Eubœa, for his misconduct upon which occasion Hegesilaus was condemned to death; nor did this latter expedition take place, as Schneider (p. 138, 150) supposes in Olymp. 105, 3 (B. C. 358), but much later (see Book IV. 13). Schneider (p. 174) correctly considers the confusion mentioned by the author of the treatise (5, 8) as prevalent in Greece to refer to the confusion that occurred after the battle of Mantinēa.

Immediately before the composition of the treatise a war had been carried on, and a treaty of peace concluded, by means of which quiet had been restored at sea (4, 40, 5, 12; the latter passage by no means proves the continuance of the war by land, but is to be understood only of the disastrous consequences of the preceding war). The peace after the battle of Mantinēa (Olymp. 104, 2, B. C. 363), therefore, cannot here be meant. We might with more probability suppose that the peace with Philip in Olymp. 105, 2 (B. C. 359) (Diodor. XVI. 4) was intended. But it appears to me most probable that the peace which in Olymp. 106, 1 (B. C. 356) terminated the social war is meant, because by this very war great derangement was occasioned in the finances (see Book III. 19, of the present work), and by the peace security at sea was restored. Both events especially harmonize with the passage 5, 12. In this year, therefore, in my opinion the treatise was composed. In the same period Isocrates, in his oration on Peace, labored for the same object as Xenophon, and he also complains of the loss of the revenues. Finally, the object of the whole treatise, which was to improve the condition of the Athenians without oppressing the allies, corresponds with this very period of distress, and embarrassment, and with the peace concluded with the allies. And since it has already been proved by Schneider (on Xenoph. Hellen. p. X.) that Xenophon was still living in Olymp. 105, 4 (B. C. 357), we would need to lengthen his life only one year beyond this date.

On the other hand, Schultz (über d. Epilog. d. Kyrop. p. 27), and after him Schneider (p. 139 seq., p. 174 seq.), would date the composition of the treatise as late as Olymp. 106, 2 (B. C. 355), because, in their opinion, the Phocian war is mentioned in

mild, the soil particularly adapted to raising the most valuable products, and, where it did not admit of tillage, it was still richer than that of the arable lands, since it contained metallic ores,

it. But, I believe, on the contrary, that it may be proved that the work was written before the Phocian war. The passage in question (5, 9) states, that, if the Athenians, without engaging in war, would by means of embassies earnestly endeavor to restore the temple at Delphi to its former autonomy, all the Greeks would unite with them against those who had attempted to take possession of the temple after the Phocians had relinquished it (*ἐκλιπόντων τῶν Φωκέων*). The Phocians in Olymp. 106, 2 (B. C. 355) had taken possession of the temple at Delphi, and since throughout the whole of the Sacred War they generally had the advantage, they gradually completed the plundering of the temple, and they retained possession of it until the termination of the war in Olymp. 108, 3 (B. C. 346). Of this one may easily be convinced by reading Diodorus, XVI. 23-59; comp. Demosth. π. παραπρ. p. 356, 17. Now since Xenophon's words cannot have been written after Olymp. 108, 3, they must be of a date prior to Olymp. 106, 2; for it is expressly said that the Phocians relinquished the temple; and even if it should be alleged that *ἐκλιπόντων* means, *they had become weak, had relaxed their efforts*, the view of the case would not upon this supposition be affected. But why in this passage are the *Phocians* mentioned? The circumstances appear to have been as follows. The temple at Delphi was, according to an agreement of the Greeks, an autonomous sanctuary, the supreme authority over which was vested in the Amphictyonic council and the sacred assembly of the people at Delphi. But the Phocians always claimed that the government of the temple belonged to them, and asserted that they had once held it. This assertion they founded upon Homer's *Iliad* β, 519. According to Diodorus their claims were again brought forward and established in Olymp. 106, 2. The Spartans both consented to the measure, and aided in it (Diodor. XVI. 29). In the time of Cimon the latter had given the temple to the Delphians, that is, had made it autonomous. But Athens delivered it immediately afterwards to the Phocians (Thuc. I. 112). In the peace of Nicias (Olymp. 89, 3, B. C. 422) autonomy, the jurisdiction over litigations arising within their own bounds, and freedom from all tribute to any foreign government, were secured by treaty to the sanctuary at Delphi, to the temple of Apollo, and to the city, together with the territory appertaining to it (Thuc. V. 18). In the preceding armistice, at least the free use of the temple and oracle had been stipulated, and assistance against the plunderers of the temple had been promised (Thuc. IV. 118). To the first article of this armistice Sparta invited, in particular, Boeotia and Phocis to accede. But the Phocians may have often repeated the assertion of their claims until, as Xenophon says, they finally ceased. In Olymp. 106 (B. C. 356), before the renewed assertion of those claims, the Thebans were the predominant power in the council of the Amphictyons. At their suggestion and through their influence the Spartans were condemned to the payment of the enormous fine of five hundred talents, and afterwards to the payment of double that amount (Diodor. XVI. 23, 29). The influence of Thebes was at that time still supreme; and Sparta and Athens opposed it, and from hatred toward Thebes united with the Phocians, and promoted their claims. It is, therefore, more than probable, especially since Xenophon expresses himself so indirectly and covertly concerning this point, that the Thebans were the very persons who had attempted to take violent possession of the temple, and that prior to Olymp. 106, 2 (B. C. 355). Of the renewal of the claims of the Phocians and of the establishment of them by violence in this year, our author had not the least knowledge, and not even a presentiment.

and precious stones. The sea also was productive, and by land and water trade and commerce could from Attica advantageously be prosecuted. From the Barbarians, to whose devastating incursions other states were so much exposed, Athens, on account of its remoteness from them, had nothing to fear.

He then makes some propositions in which he endeavors to show that by the adoption of judicious regulations, in addition to possessing the valuable products raised from their own soil, both the general welfare might be improved, and a revenue be raised, from which the indigent citizens might be supported. However benevolent may have been the sentiments from which these propositions sprung, they could hardly have been carried into execution with advantage. The first proposition<sup>1</sup> has reference to the aliens under the protection of the state. They supported themselves, and also paid a sum of money for protection, and this, according to Xenophon, furnished the best of revenues. The state paid them nothing. He advises, therefore, that they should be favored, and asserts, that it would be sufficient for this purpose to exempt them from the performance of certain degrading liturgiæ, which were of no benefit to the state, and from serving as hoplitæ. For apart from other considerations it would be preferable for the Athenians to march to their campaigns alone, rather than to take the field in company with Lydians, Phrygians, Syrians, and barbarians of the like description, and it would be honorable to the Athenians to rely in their battles more upon themselves, than upon foreigners. He further advises, that they should also be allowed to participate in the cavalry service;<sup>2</sup> and that, in order that the vacant building lots might be occupied, at least those of them who should appear worthy should, upon application to the state for the privilege, receive permission to build houses; and he suggests also that protectors should be appointed for this class of persons (*μετοίκιοι φύλακες*), and definite marks of distinction should be offered for those who should bring more of them into the city. By these

<sup>1</sup> Chap. 2.

<sup>2</sup> The proposition to raise a body of two hundred foreign cavalry, found in Xenoph. Hipparch. 9, 3, strictly speaking, has no connection with the proposition to which reference is here made. But in the succeeding section of the same treatise (9, 4), he introduces the same subject, namely that of admitting the aliens under the protection of the state to that service.



means he asserts that not only they would become better disposed towards the state, but all refugees and exiles would long to enjoy the privileges of the aliens under the protection of Athens.

This seems to me as if one, before the Jews were civilly and politically placed upon the same footing as the Christians, should have recommended for the same reasons, that the same favors should be granted to the Jews under the protection of the state. Not that I would speak approvingly of the oppression of the aliens under the protection of the state in Attica, or of the Jews in modern states; for I have never been unconscious of the injustice and impolicy of both. I will only point out the absurdity of bestowing upon a distinct class of inhabitants the same rights as those enjoyed by the citizens, or still greater ones, without imposing the same duties. If the Athenians had followed Xenophon's counsel, the prosperity of Athens would have been endangered, even from internal causes. The citizens would then have fallen in battle, while the aliens under the protection of the state lived in security. The citizens would have been obliged to neglect their business, to contribute of their property for the benefit of the state, while the aliens under the protection of the state would have monopolized all the commerce, and other business, and at length would have acquired possession, at the expense of the citizens, even of the landed property, and of all the wealth of the country. A proportional number of aliens may have always been requisite for the purposes of commerce, trade, and manufactures, and of the public revenue; but higher considerations would forbid their being favored in the degree proposed by Xenophon. Besides, circumstances frequently occurred, which occasioned the naturalization of the aliens under the protection of the state in great numbers. By this means the Athenian State was just to them, as are modern states to the Jews, in a more direct manner than by granting them such favors as our author proposes. But whether this practice was really advantageous to the whole body of the people must, in the case of Athens, be doubted. For it could hardly be advantageous to the state that the hardy ancient race of the Cecropidæ became, in a great measure, extinct, and were succeeded by aliens.

The favorable situation of Athens, he continues, its excellent and safe harbors, the purity of its coin, which is everywhere at

a premium, so that the merchant is not obliged as at other places even against his will, to take a return cargo, (although this also may be obtained), but can export ready money, give Athens undeniable advantages for commerce.<sup>1</sup>

The proposals of the author for improving commerce were, in the first place, that prizes should be offered for the presidents of the courts for the trial of commercial causes, for the purpose of expediting the decision of those causes. At a later date provision was actually made for the accomplishment of this purpose by the introduction of the monthly suits.<sup>2</sup>

His second proposal was, that particular honors should be bestowed upon the merchants and shipmasters, in order that a larger number of them might be attracted to the country, and thus the exportation and importation, and the sales of commodities, as well as the wages of labor, and the public revenue might be increased.

In the third place, our author recommends the erection of peculiar establishments, for which an advance of money to be raised by subscription would be requisite; and he expresses his conviction that the Athenians, who had so often contributed for military expeditions, and for the equipment of fleets for the purposes of war, and who had made heavy expenditures, without any certain prospect of a successful result to the state, and with the full assurance of never having the sums presented restored to them, would readily contribute to this object. He proposes that public inns and warehouses, in addition to those already in use, should be built, for the entertainment and accommodation of shipmasters, and of merchants, and also houses for the sale of goods, and public trading vessels, which like other public property should be let to lessees furnishing proper security. The author supposes that the proceeds would yield to each contributor three oboli a day; so that they would receive a very high interest upon the amount contributed. The person who contributed ten minas would receive nearly twenty per cent. (*ταυτιζὸν σχεδὸν ἐπίπεμπτον*), or exactly 180 drachmas for 360 days. The person who contributed five minas would receive, as interest, more than the third part of the prin-

<sup>1</sup> Xen. Chap. 3.

<sup>2</sup> See Book I. 9, of the present work.

capital (ἐπίτοτον). The greater number of them, however, would annually receive more than the sum contributed — for example, the person who contributed a mina would receive nearly twice that sum — and that in the city of their residence where, it would seem, investments of capital were the safest and the most stable. The author also expresses the opinion, that even foreigners, if in return for their contributions they should be called the constant benefactors of the state, and their names should be engraved in marble, in acknowledgment of their aid, perhaps even states, kings, despotic rulers, and satraps might be induced to contribute.

In all this statement of his views there is nothing obscure, but almost all of them have no foundation. Xenophon proceeds upon the supposition that the contributions were to be unequal, according to the difference of the amount of property possessed by the contributors, in conformity with the principles of a property tax, but, on the contrary, that the income from the investment was to be equally distributed among the contributors, in order that the less wealthy among them might thus be supported from the proceeds. He seems, therefore, to have chosen the rate of three oboli, because that sum was sufficient to supply the absolute necessities of life. Three oboli also occur in ancient authors, as a not uncommon rate of daily wages, although lower than the ordinary rate. The same sum was also the daily pay for several public services; for example the daily pay of the judges, and for attendance upon the assemblies of the people. There is no reference in the passage which we are considering to a plan for paying the compensation of the judges, nor to the wages of seamen, but to the annual proceeds accruing to each subscriber from a fund raised by contribution, which are designated after the manner of the returns in bottomry, or compared with the same, and which in reference to the public trading vessels were in fact identical with interest upon money lent on bottomry.<sup>1</sup>

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<sup>1</sup> Salmasius, M. U. Chap. I. entangles himself in a web of errors by considering this triobolon the compensation of the judges, from the enjoyment of which, however, he excludes the pentacosimedimni, and the thetes. But the latter chiefly were the very persons who received the benefit of it. And also, without taking into consideration the circumstance that, if the fact were as Salmasius supposes, the reading would have been τὸ τριώβολον, his entire explanation of the subject is so absurd, that one cannot conceive how it could have occurred to him. Of a part of his investigation Heraldus, his illustrious refuter, (Animadv. in Salm. Obs. III. 15, 17) says: Somnium est hominis harum rerum, etiam quum vigilat, nihil scientis. Heraldus (as before, II. 20, 2) refutes

But where was the guarantee that the establishments proposed would yield to each of the stockholders three oboli a day? And if the state by means of this plan engrossed a considerable portion of the commerce and trade of the country, what was to become of the commerce, and trade of private individuals? In this proposal also the philosopher was building for the Athenians a castle in the air.

The most important, and the most diffusive portion of the brief treatise, is the section relating to the silver mines.<sup>1</sup> According to the author the Attic mines were inexhaustible. They had been worked from time immemorial, and that portion of them already used formed but a small part of the hill which contained the silver. Nor, as the mining labors were extended, did the region which contained the silver become contracted, but, on the contrary, it even seemed to become enlarged, since new veins were continually discovered. Even when the largest number of men were employed in them there was never any want of employment. "Even at the present time," continues the author, "no lessee of the mines diminishes the number of the laborers, but, on the contrary, they are all increasing them. The silver does not lose its value by increasing the quantity in the market, because its use is so manifold, and no one feels that he can have too much. If the use of gold is equally extensive, yet it is certain, that when it is found in large quantities it becomes cheaper, while the value of silver is increased. Now although the state sees that many private persons enrich themselves by letting their slaves to work in the mines, since they receive for each one of their slaves that works in them a net profit of an obolus a day, yet it does not imitate their example. It might, however, obtain a permanent income by procuring public slaves, until it possessed three to each citizen, about sixty thousand, therefore, and by letting them like other public property upon proper security. There would be no risk in this transaction, for, if the slaves were marked with the public seal, they could not easily be stolen and carried out of the country. The competition

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the dreams of Salmasius, but he himself very strangely considers (§ 3) *ναυτικόν* as *salarium nauticum* (§ 4), although it is evidently to be understood, with Salmasius, as denoting marine interest. Schneider also has made this same remark in opposition to Weiske.

<sup>1</sup> Chap. 4.



of other lessors of slaves would not injure the state. At first twelve hundred slaves should be bought. From the proceeds derived from their labor the number can be increased in five or six years to six thousand,<sup>1</sup> and they would yield an annual income of sixty talents. Of this sum twenty talents might be employed in the purchase of new slaves, and forty in other expenditures. When the number of slaves should become ten thousand, the income derived from their labor would amount to one hundred talents. But that a much larger number could be procured and supported is proved by the events that occurred before the period of the Deceleian war. New mines might also be opened, although this, to be sure, is hazardous with regard to the expense attending them, on account of the uncertainty of finding new productive veins of ore. In order, however, that single individuals may not alone be subject to the risk, an equal number of slaves should be assigned to each of the ten tribes. Then let each tribe commence the working of new mines, but the consequences of success or failure should be enjoyed or borne by them in common. It cannot be expected from previous experience that all should be unsuccessful. Private persons also might form companies of the same description." This last suggestion was afterwards carried into effect.

All these propositions, however, if adopted, could not possibly attain their object. It is incredible, that, beside the private slaves, sixty thousand public slaves could for any length of time have worked the mines with profit; but either the state or individuals would have soon miscarried. Subsequent experience has shown that the author's conception of the inexhaustibility of the mines was a mere imagination; not to urge that in dear seasons, and unprosperous conjunctures, the prices of grain were so very high that the working of the mines, especially since the ancients were far from being well skilled in the process of smelting the precious metals, could not have continued profitable. Hence many persons sunk capital in their mining operations, and mining was at length discontinued.<sup>2</sup>

The author, moreover, discreetly remarks, that an attempt

<sup>1</sup> See Book I. 13, of the present work.

<sup>2</sup> The proofs of all that is here remarked, are given in my *Abhandlung über die Laurischen Gruben*.

should not be made to carry all these measures into execution at the same time, because, on the one hand, too large an advance of money would be required, and, on the other hand, as labor becomes dearer and less effective, when there is a demand for many laborers of a particular class at the same time, so the price of slaves would become too high, and those of a poorer quality would be purchased; whereas if the same measures should be successively undertaken, the income, derived from the successful prosecution of one of them, might be employed in carrying another of them into effect. "But," he adds, "if it should be supposed that, on account of the property taxes raised in the preceding war, no contributions for this purpose could be made by private persons, let the expenses of the administration of government be first of all defrayed from the smaller revenues, appropriating for that object the amount which they produced during the last war, and let the surplus which may accrue from the peace, from the care of the state in promoting the interests of the aliens under its protection; and from the increase of trade and commerce be employed in carrying into effect the proposed arrangements. Nor would the latter be useless in a time of war, but on the contrary the state would derive much advantage from them by being enabled through the increase of the population, consequent on the adoption of these measures, to man a larger number of ships, and to raise a more numerous land force. Since there were already some fortifications connected with the mines, the latter could with ease be still more completely protected, and, both from their situation itself, and also, because, from the difficulty of procuring provisions in that region, an enemy could neither long remain there, nor use the mines, they would be but little exposed to an attack. Finally, the commonwealth would not only derive a revenue from the metal itself, but, since there would be a great concourse of persons collected at the mines, a revenue would also be obtained from the market, from the public buildings, and from many other sources; and land near the mines might acquire as high a value as that in the vicinity of the city. With the increase of the means of subsistence the citizens would become more tractable, orderly, and war-like, since they might receive daily wages for exercising in the *gymnasia*, and for performing garrison and patrol duty."

Of all his propositions the exhortation to peace<sup>1</sup> is, in general, the most unobjectionable. It is not, however, peculiar to this treatise, but it was at the same time made by Isocrates, and was repeated by the orators even to satiety, and sometimes very unseasonably. Indeed, the contemptible peace-party at Athens in the immediately succeeding period, "those excellent persons," as Demosthenes expresses himself, "who *contrary to the interests of their country* keep the peace in hopes of future gain,"<sup>2</sup> was culpable as the main cause of the loss of the freedom of all the Greeks, and of the overthrow of the power and political importance of Athens. It betrayed the state to its enemies, who were their own friends, while the noble and magnanimous Demosthenes, his eye immovably fixed upon the ancient glory and honor of Athens, assigned to his country the part of the champion for Grecian freedom against the despotism which threatened it from the north. "The prosperity of Athens," says the author of the Treatise on the Public Revenues, "will be more promoted by peace, than that of any other state. All shipmasters and merchants, all who possess large quantities of grain, of superior wines, of oil, all who keep large flocks of sheep, all who seek to obtain a livelihood by the exercise of intellectual abilities, or from the investment of capital, mechanics, artists, sophists, philosophers, poets, stage-players, dancers, and other attendants of the muses, all amateurs of things both sacred and not sacred which are worth seeing or hearing, all who wish to buy or sell any thing immediately,—all these persons will resort to Athens. The predominancy among the Greeks or the guidance of their affairs will be more easily preserved to the state by mildness in time of peace than by wars and violence. In war not only some of the revenues are diminished, but those which are received are all consumed in its prosecution. The state always obtains a large revenue in peace, and expends large sums in time of war. Let injuries alone be avenged by arms; and this would be easily accomplished, because the party who inflicts the injury, provided no injustice has been committed on the other side, can obtain no allies. If these counsels be followed,<sup>3</sup> the state will acquire

<sup>1</sup> Chap. 5.

<sup>2</sup> Τῆς γὰρ εἰρήνης, ἣν οὗτοι κατὰ τῆς πατριδος τηροῦσιν οἱ χρηστοὶ ἐπὶ ταῖς μελούσαις ἐλπίζουν, on the Crown, p. 255.

<sup>3</sup> Chap. 6.

the love of the Greeks, security, and glory, the people, the means of subsistence in abundance, the rich will be relieved from the expenditures occasioned by war, the festivals be celebrated with still greater splendor, the temples be rebuilt, the walls of the city and the dock-yards be repaired, the priests, the council, the public officers and the knights, receive their customary compensation." He further advises that all these measures should be commenced with supplications to the gods, and that the oracles at Delphi and Dodona should be consulted: "for with the favor of the gods all the affairs of the state are prosecuted with increasing success and advantage."

This pious conclusion, notwithstanding the many imperfections of his brief treatise, reconciles the reader with the aged disciple of Socrates. Would to God that all statesmen, when about entering upon any work, would, like Xenophon, think of him! Praying, to be sure, is not all that is requisite; and we can hardly forgive our author for not exhorting the Athenians to be more frugal in the celebration of their festivals, instead of flattering them with the hope, that, if they followed his counsels, they would be able to arrange their own households, and also to celebrate the worship of the gods, with still more magnificence. But this wish came from the inmost recesses of his heart; his own disposition concurred with the inclination of his patron, and with the ruinous propensity of the Athenian people.

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## CHAPTER XXII.

### FINAL JUDGMENT.

IF we take a general survey of the whole structure of the public economy of Attica, which the system of government established in the other free states of Greece, with the exception of Sparta and Crete, more or less resembled, we perceive, that many of its aims and arrangements were wise and judicious, that it did not lack the manifestations of experience and sagacity in its



construction, and also that several of its parts were more finished than in the corresponding system of several modern states. We shall even find also, that its imperfections are so blended with excellences that they could hardly be removed without endangering freedom itself, the source of all the virtues.

The Greeks were neither poor, nor indifferent to riches, but the quantity of the precious metals in circulation had not yet reached that large amount, to which in modern times it has arrived in the states of Europe. Great results were effected, therefore, with but little money; and since property yielded large proceeds, individuals could, without encroaching upon their capital, contribute a proportionably large amount for the use of the state. Moreover, their financial system was simple and inartificial. Unless great resources were at their command, such as the tributes, for example, for carrying into effect great plans, their forecast seldom extended beyond the current year. Breach of trust and embezzlement were viewed as venial offences. From ignorance of their resources, large sums were paid out at once, and in consequence they afterwards became involved in pecuniary embarrassment. The many-headedness of the assemblies of the people restricted the skill of the statesmen, and, for the most part, also the adoption of vigorous and decisive measures. The Athenians nobly expended large sums, in the worship of the gods, in erecting enduring monuments, the memorials of their elevated sentiments, their great achievements, and of their consummate taste for the fine arts. The eye and ear beheld and heard the most exquisite productions which the creative genius of man can execute, but the appetite, the lowest of human desires, also demanded gratification. Gratuities and stipends, bestowed in time of peace, accustomed the citizens to indolence, and to the idea, that the state was bound to support them; and since by this means the lowest among the people acquired the inclination and leisure to concern themselves with the administration of the government, this was one means of promoting the ascendancy of the rabble. It was a problem for the Athenian statesmen to solve, in what manner they could maintain and enrich the mass of the people, not by their own industry, and by the profits of their trades and labor, but from the public property and revenues; for the commonwealth was considered, as it were, private property, possessed in common, the proceeds

of which were to be distributed among the individual proprietors. And yet the distribution of donatives and the payment of stipends seem nowhere less necessary than in states in which slavery is established. The degradation of the greater part of the population enables the master, at the cost of the former, and by their labor, more easily to acquire his livelihood, and gives him leisure to attend to the government of the state. On the contrary, where there are no slaves, the person who is obliged to earn his livelihood cannot so easily participate in the government of his country, nor the ruler labor for his support, but the latter, as Plato proposed in his plan of a perfect state, must be supported from the public treasury.

The giving of pay to the soldiers, which was early introduced at Athens, is less exceptionable. But this, as well as the other exertions made by the state in its wars, exceeded its internal resources. The extravagance at home, the expenditures occasioned by foreign military expeditions, maladministration in various places, occasioned the oppression of the allies, and the obligation of the latter to pay tribute to Athens rendered that state odious to them. In order to retain the power which it possessed over foreign states, it was obliged to heap injustice upon injustice, and to deter them from revolt by the infliction of severe punishments upon those who made the attempt. It would otherwise have been compelled to yield that position to a more powerful rival, which Athens among all the states of Greece was the most worthy of maintaining, and which the circumstances of the times had pressed and induced her to assume. But since the unnatural, compulsory relation which existed between Athens and the allied and subject states could not have long endured, and a voluntary union among the Greeks could have acquired but little strength, except for a brief period, as was the case, for example, in relation to the combination against Persia, Athens, and with it Greece must have been ruined, even if Philip of Macedon had never existed, because some other individual would have become to them a Philip.

Among the various means employed by the Athenian State for raising a revenue, their system of tolls and customs deserves the most commendation, because the rates were moderate and equitable. On the other hand, the immense fines, although to the state a productive source of revenue, instigated to unjust

condemnations. Moreover, the punishment of the confiscation of property, especially if the proceeds were immediately distributed among the people, became a most formidable sword in the hands of fierce and inconsiderate demagogues against the rich and eminent. The *liturgiæ*, although highly serviceable, occasioned not a little detriment, because no proportional distribution of them was wont to be made. Patriotism, religion, enthusiasm, and not less than these, ambition made, it is true, great sacrifices for the state; but the former gradually became extinct, the latter, since it incites to vicious as well as to noble deeds, not unfrequently even occasioned injurious consequences.

We are not insensible to the great and exalted achievements recounted in the history of the Greeks; we acknowledge that several of their political and civil regulations were superior to those of modern states, superior to those of the Roman Empire, corrupt even to abomination, or of the slavish, prostrate East: but many of them also were inferior to ours. It is only a one-sided or superficial view, which sees everywhere in antiquity ideal perfection. The praise of past times and dissatisfaction with contemporaries frequently have their foundation merely in a morbid sensibility, or in an egotism, which, despising the society by which it is at present surrounded, considers the ancient heroes the only companions worthy of its own imagined greatness. There are reverse sides in this subject less beautiful than those generally presented to view. Examine the interior of the Grecian life in the state, and in the family relation, and you will find even in the noblest races, among which the Athenians must doubtless be included, a deeply seated moral corruption, penetrating to the very inmost core of the people. Although the democratic form of their governments, and the minuteness of the independent communities into which the several races were divided, created a stimulus to intense and manifold exertions, they were at the same time the occasion of innumerable disturbances, and passionate and malicious acts. If we except those great spirits who, comprising a world within their own minds, were self-sustained, we perceive that the multitude were destitute of the love and the consolation which a purer religion has poured into the hearts of mankind. The Greeks, amid the splendor of art and in the highest enjoyment of liberty, were more unhappy than is generally supposed. They bore the germ of destruction within

themselves, and when the tree decayed it became necessary to cut it down.

The formation of large states into constitutional monarchies, in which less scope is allowed for the passions of individuals, the establishment of the principles of government upon a firmer basis is rendered possible, and greater security against external attack and more constant internal quiet are maintained, seems to be a really progressive movement of the cultivated portion of the human race;<sup>1</sup> provided that that individual activity and energy, that free and magnanimous spirit, that implacable hatred of oppression, of servitude, and of the arbitrary power of rulers, which distinguished the Greeks, do not desert us, but on the contrary increase their cheering influence, and become confirmed. But if this stock decays, to *its* root also will the axe be laid.

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<sup>1</sup> The very learned, liberal-minded, and amiable author has had no personal experience, I believe, of the workings of that still more progressive movement, the formation of large states into constitutional republics, upon the basis of the equality of rights and reciprocity of obligations of intelligent and virtuous freemen. — Tr.



## CORRECTIONS AND ADDITIONS OF THE AUTHOR.

Page 367, note 5. Instead of ἐν δὲ τῷ Πόντῳ, the best manuscripts lately compared give the reading in Isocrates, as last cited, ἐν Δάτῳ δέ, by which the difficulty is now removed.

On page 527 I have designed to give *examples* only of subject allies who furnished troops, not a complete enumeration. In particular I have not transcribed from Thucydides, VII. 57, the names of the several allies mentioned in that passage. They certainly are to be included among those to whom reference is here made, although in that passage merely an enumeration of the allies is commonly supposed to be intended: and yet, upon a closer examination of it, it is found that those allies only are there mentioned who had furnished troops for the Sicilian expedition. Among them are found the Ænians, who are mentioned in the like relation in IV. 28.

Page 589. The allowing of two persons jointly to perform the duties of the choregia, was limited according to the Schol. Aristoph. (note 2) on the authority of Aristotle, to the tragedies and comedies represented at the celebration of the Dionysia (that is of the great Dionysia celebrated in the city). The expression of the scholiast (ἐπὶ τοῦ Καλλίου τούτου) as well as the object for which this subject is introduced, show that this permission was first granted in Olymp. 93, 3 (B. C. 406), in the archonship of Callias, in which year the comedy of the Frogs was first represented (comp. Clinton F. H. and Meier de Aristoph. Ran. Comm. II. p. 13). With regard to the main subject, this does not require any alteration to be made, except that instead of what is said on page 705, it should have been stated, that the syntrierarchy was introduced prior to this synchoregia.

While the preceding additions were in the press I received, when absent from the place of printing, the first plate, separated from the other sheets to which it belonged, of the Ἐπιγραφὰ ἀνέκδοτοι ἀνακαλυφθεῖσαι ὑπὸ τοῦ ἀρχαιολογικοῦ συλλόγου, φυλλάδιον πρῶτον, published at Athens (1851). Soon afterwards Rangabé communicated to me by letter his new comparison of the inscription contained in that plate with the original memorial, by means of which the restoration of one passage first became possible. This inscription is the decree of the people concerning the new alliance with the Athenians (see p. 538). It was composed in the archonship of Nausinicus, and contains among other matters the prohibition, mentioned on p. 540, last line, and on p. 550, line 13, of the possession by an Athenian of landed property in the states of the allies. The last two sentences of the inscription are as follows: τὸ δὲ ψήφισμα τόδε ὁ γραμματεὺς ὁ τῆς βουλῆς [ἡ ἀναγρ]αφάτω ἐν στήλῃ λιθίνῃ καὶ κα[τ]αθέ[τω] παρὰ τὸν Δία τὸν Ἑλευθέριον. τὸ δὲ ἀρ[χ]ον δοῦναι εἰς τὴν ἀναγραφὴν τῆς στ[ήλ]ης ἐξήκοντα δραχμας ἐκ τῶν δέκα ταλάντων τοὺς ταμίαις τῆς θεοῦ. By these last words the opinion advanced by me on p. 234, that the treasurers mentioned in the decree in honor of Strato were the treasurers of the goddess in the citadel, is confirmed; but on the contrary the explanation, given on the same page, of "the ten talents," is by the same words rendered doubtful.



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THE  
PUBLIC ECONOMY OF THE ATHENIANS,

WITH NOTES AND A COPIOUS INDEX,

BY  
AUGUSTUS BOECKH.

TRANSLATED FROM THE SECOND GERMAN EDITION,

BY  
ANTHONY LAMB.

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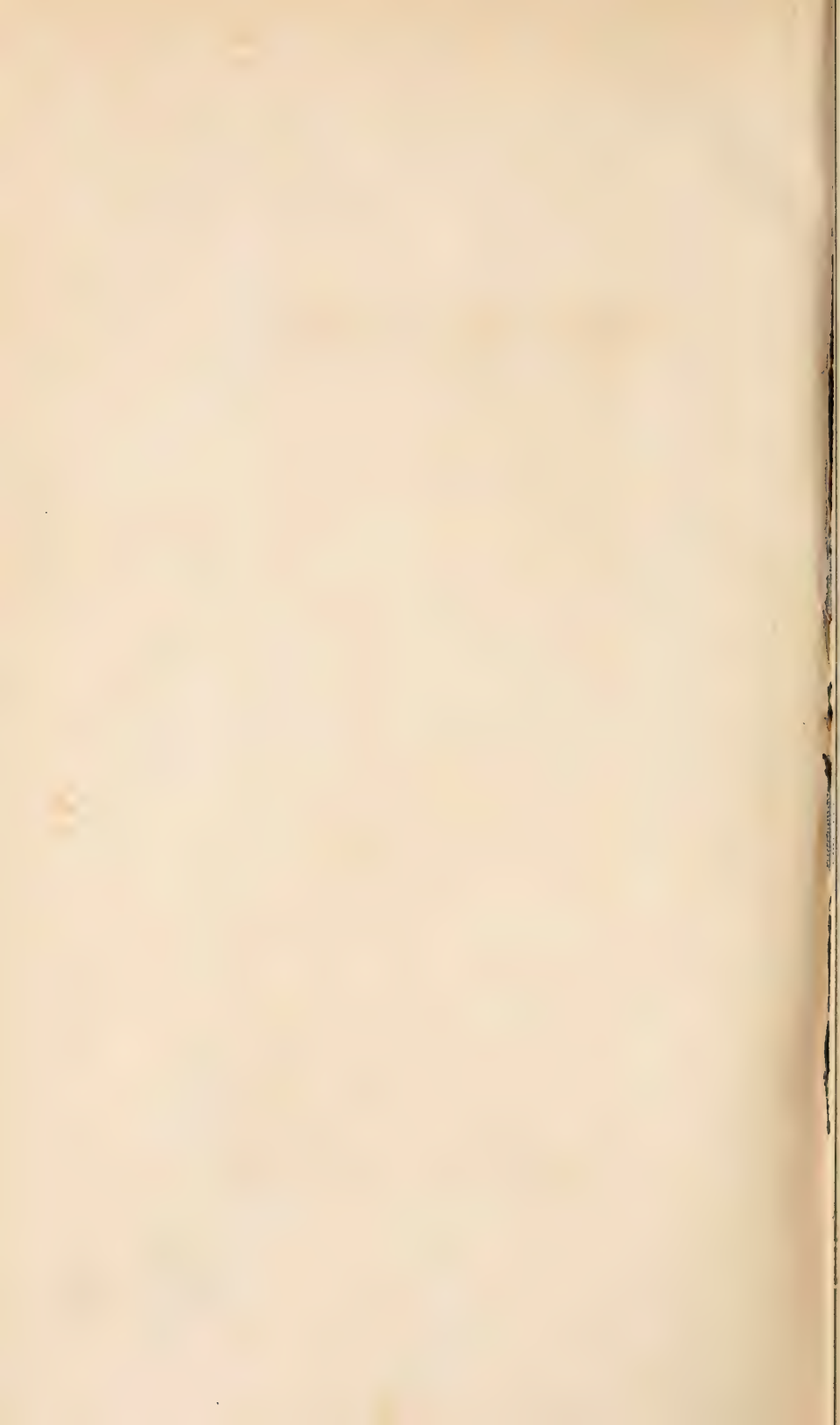
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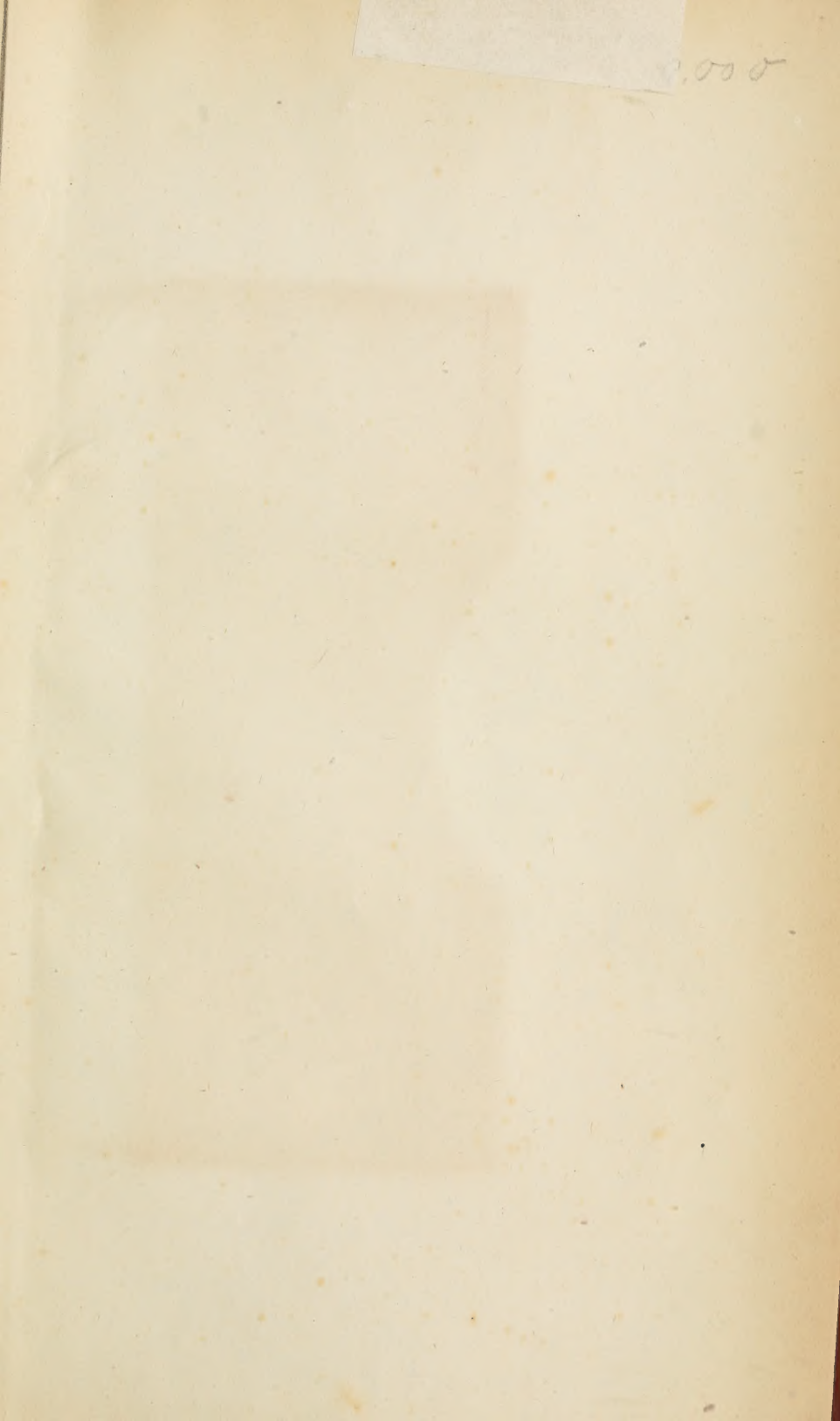






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